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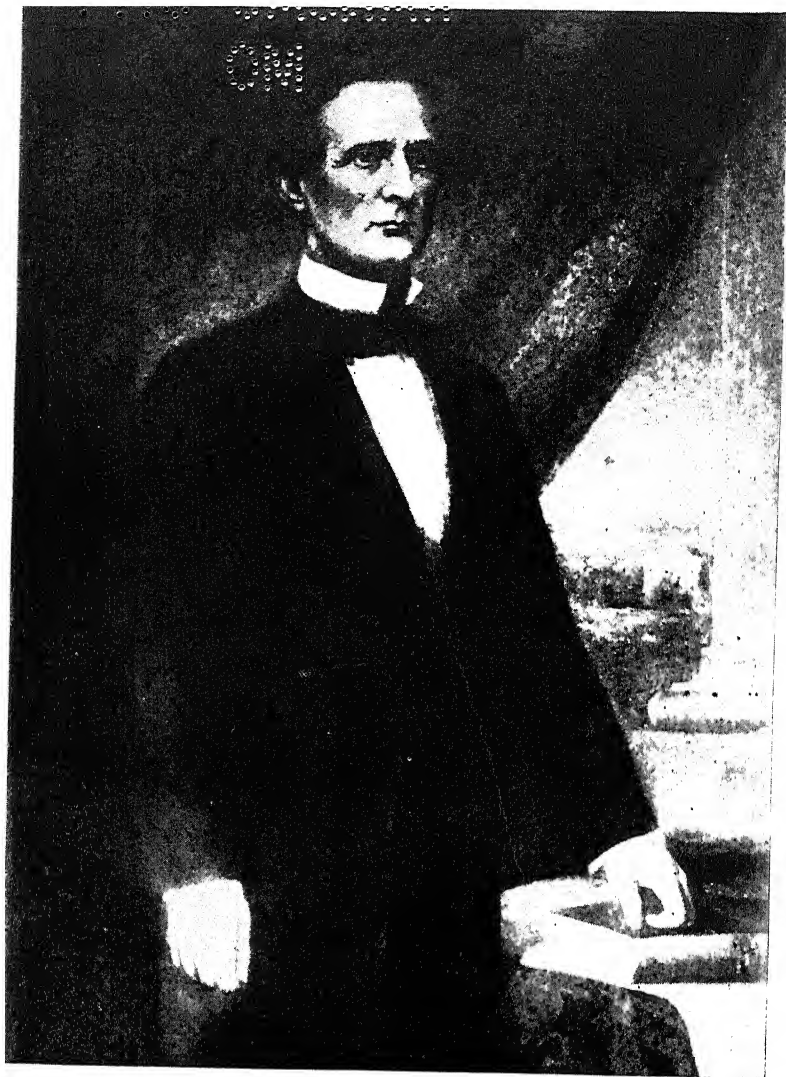
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HIGH STAKES
AND
HAIR TRIGGER



JEFFERSON DAVIS

HIGH STAKES AND HAIR TRIGGER

THE LIFE OF JEFFERSON DAVIS

BY

ROBERT W. WINSTON

AUTHOR OF "ANDREW JOHNSON, PLEBEIAN AND PATRIOT"



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PREFACE

Dr. Johnson once said to Boswell that a person should be judged by the *mass* of his character rather than by disconnected details. This saying and another of Simon Greenleaf that a biased witness is of little value, I have endeavored to keep in mind. The caution of Professor Greenleaf is indispensable because nearly everything relating to Jefferson Davis is controversial and the witnesses more or less biased. Testimony of this kind, therefore, I have excluded or admitted with care.

Morley, in the introduction to his *Gladstone*, complains of a vast amount of material, more than 200,000 documents; I have not counted the Davis exhibits, but there must be nearly as many of them. In this mass of evidence, it has been my aim to discover some thread of unity, and some coherency. As will be seen from the text and from the bibliography, I have made use of original material not hitherto taken into account.

R. W. W.

Williamstown, Mass.
October 12, 1929

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PART ONE—*SOWING THE WIND*

1808—1861

The Letter killeth but the Spirit giveth Life.

CHAPTER I

BEGINNINGS

In the annals of America perhaps no date is more big with disaster than June 3, 1808. On that day and in Christian County, Kentucky, a man was born through whom the wrath of a brave people found expression and burst all bounds. The story I propose to write is one of pride, of obstinacy without parallel, of triumph and failure, and of love without stint.

Jefferson Davis was sprung from comparatively humble stock; beyond his father and grandfather nothing is known of his ancestry. The name of his grandfather was Evan David, but after landing in America the name was changed to Davis. The grandfather and two brothers came over from Wales and settled at Philadelphia early in the eighteenth century.¹

Some years later Evan Davis set out for the Southwest and landed in Georgia, where he married a widow Williams, who gave birth to an only child, Samuel, Jefferson Davis's father. Shortly after the birth of Samuel, Evan died. The father of Jefferson Davis was a strong character, stubborn, unlovable and silent. But he was a brave man and when the Revolution broke out, he raised a company, becoming its captain, and marching to the relief of Savannah. For his services the Government granted him two hundred and eighty-seven and a half acres of wild land.²

After the war Samuel Davis moved to Augusta, Georgia, where he was appointed clerk of the county court and married Jane Cook, a South Carolina woman. This prolific Scotch-Irish woman presented her husband with ten children, nearly all bearing patriarchal and Biblical names. There were Joseph and Samuel, Ben-

¹ The claim of Davis's recent biographers that Samuel Davies, president of Princeton, was of this line lacks proof: letters to author from the secretaries of Virginia and Pennsylvania Historical Societies; *Southern Historical Society Papers*, XXXVI, 79; Whitsitt, 1-10.

² In Townsend's *Handbook of U. S. Political History*, 362, it is stated that Jefferson Davis and U. S. Grant were cousins on Davis's maternal side.

jamin and Isaac, Mary and Anna and so on to the tenth and last, Jefferson. Undoubtedly Samuel, a hard-shell Baptist in religion and an unwashed Democrat, but then called Republican, in politics, was determined to do honor to all the saints in the calendar.

Now the Davis family was in no sense aristocratic; in Wales they had been laborers and in America they were small, wandering farmers. Samuel and his offspring ploughed the fields, chopped cotton and worked side by side with the two or three slaves belonging to the family.⁸ Even poorer whites in that early day could indulge in the luxury of a slave or two, slaves being worth little more than good mules. After a few years, Samuel grew weary of Georgia and wandered over into the Blue Grass country.

There were then no steamboats or other public conveyances in that western land and Samuel therefore packed his household goods in a covered wagon and about the year 1792 set out with wife, children and slaves on a five-hundred-mile jaunt, passing through Georgia, Tennessee, and into Kentucky. There the gad-about fellow opened up a wayside tavern and raised cattle and horses. But Kentucky was also unsuited to the Davis family and they remained only a few years, yet long enough to present to the world their most distinguished son.

Little Jeff had no recollection of his unpretentious Kentucky home, for he was an infant at his mother's breast when the roving Samuel set forth on another trek. This time Bayou Têche was his objective, a Louisiana village a thousand miles or more away. The family, except Joseph, accompanied their peripatetic parent. Joseph remained and studied law, afterwards becoming a lawyer and practicing at Hopkinsville, Kentucky. At Bayou Têche malaria attacked the wanderers and they made haste to move again. The lower Mississippi valley, then a territory, was Samuel's latest fancy and there, after three removals and hundreds of miles of plodding over well-nigh impassable roads, the much-worn family settled down at last.

Jefferson Davis's first impressions were of Poplar Grove, a neat but humble Mississippi home, with its simple flowers and numerous bee gums, on the outskirts of Woodville. This pleasant village lies in Wilkinson County and is distant a dozen or more miles from the great river. Poplar Grove was too small a farm to be called a

⁸ Dodd, 18.

plantation and was surrounded by dense forests of pine, oak, and hickory. There were also magnolias in abundance, and cypress, ash, and yellow poplar. Peaches, figs, and sugar cane were cultivated; and bamboo, wild flowers, shrubs, and weeds grew the year round. In those early days Mississippi was America's wild and woolly west. Bear, wild hogs, and other unclassified "varmints" infested the swamps; and desperadoes and highwaymen made travelling perilous. Alonzo Phelps, a noted bandit, is said to have perpetrated no less than eight murders and sixty robberies.⁴

These lawless conditions the adventurous people often took into their own hands and, by a species of wild justice, rid themselves of robbers, thieves, and blacklegs of high and low degree. At Vicksburg, a few miles up the river, a crew of gamblers had taken possession, plying their trade and killing several of the townsmen. A vigilance committee got busy and lynched every last one of the gamblers, whom they buried on a nearby bluff, as may be seen to this day.⁵

In the midst of such rude and primitive conditions, young Jeff was growing up a ruddy-faced lad, spare and straight as an Indian. Every one remarked on his fine bluish-gray eyes, expansive forehead, and open countenance. His mouth was firm set; a shock of black hair covered a shapely head. So promising was the youngster that the family savings were lavished upon him to the exclusion of the other children. And well he merited the affection of his unapproachable father and of Joseph, his common-sense eldest brother.

At the log cabin schoolhouse he was prompt and faithful, and in the presence of danger showed the mettle of which he was made. Once the little five-year-old and his sister Polly, two years his senior, were returning from school through the forest when in the underbrush they espied an object of terror, none other, they concluded, than the village drunkard—a dangerous poor white, a chair mender—with chairs on his head, bearing straight down upon them. Polly, in terror, started to flee, when the little brother, stepping forward, exclaimed, "Don't be scared, I'm here to protect you!" The terrifying object proved to be the antlers of a huge

⁴ Foote, 36.

⁵ King, 289; Mark Twain, 268.

buck, and Jeff was saved an encounter with the village drunkard.⁶

While Jefferson was still a school boy, the first steamboat to ply the river, a side-wheeler with two decks, called the *New Orleans*, came puffing down the Mississippi to the terror and delight of the people. And a majestic sight she was, her dimensions being 116 feet long and 20 feet wide. She boasted of a captain, a pilot, an engineer, and six deckhands, and her cost ran up to thirty thousand dollars. Her first trip down the river to Natchez is recalled to this day. Great crowds had gathered, and the bluff shores of Wilkinson and adjoining counties were lined with negroes and superstitious whites. The paddles churned, dashing the foaming water against the shores; the steam whistle screamed; and great was the enthusiasm. "Dar now!" chuckled a woolly-headed black, "Ole Mississip done got her Massa dis time!"⁷

By a strange coincidence, at this very moment an earthquake shook the valley and the boat trembled from stem to stern. The banks caved in and the river overflowed, washing away houses and spreading consternation among masters and slaves alike. But not among the fatalistic red men. A sturdy chieftain high up on the banks, with arms folded and set gaze, saw the town of New Madrid sink into the yawning abyss. "Great Spirit got whiskey too much," was his only comment.

In a short while the *New Orleans* ran on a snag and went to the bottom, and it was a year or more before regular trips were again scheduled, not until the Government had cleared the channel of roots and snags, using dredging machinery which the phrase-making and picturesque slaves dubbed "Uncle Sam's toof-pullers."

The population of Mississippi Territory in the early eighteen hundreds was made up half of white and half of black. In the northern portion there were perhaps ten thousand Choctaw and Chickasaw Indians, making a total population of nearly a hundred thousand. Vicksburg, on the southern edge of the Indian reservation, and then called Fort Nogles, was an outpost town.

About this time Jeff, a lad of four or five summers, witnessed the departure of two brothers volunteering to fight under the banner of General Jackson. The remaining one, with musket on his shoulder and eager to go, was restrained by an order of the Judge. Surely

⁶ *Memoir*, I, 8, note.

⁷ Mark Twain, 132.

some male person ought to stay at home to protect the women and children. After making due allowance for the drabness of plantation life in the early part of the nineteenth century and the desire to go to war for a change, it must be said of the Davis family that they were born fighters.

Amid such primitive scenes, young Jeff grew to be seven years of age, the pet of the household, the hope and joy of his brother Joseph. Though Joseph was twenty-four years older than Jeff, the two were fast friends, all that Joseph possessed being at his younger brother's disposal, whether of influence or money, of advice or love. It was Joseph Davis, crack duelist, implacable and thorough-going individualist, as we shall see, who largely shaped and moulded his brother's career.

So that he might be nearer Joseph, it was arranged that Jeff should attend a school in Kentucky, Saint Thomas College, a Catholic institution for boys. Accordingly, about the year 1815, the seven-year-old youngster, astride a pony, set forth with Major Hinds and others for northeast Kentucky. This wild, picturesque journey made a lasting impression on the boy's mind. From Woodville the cavalcade, eight or ten people in all, including the Major's little son about Jefferson's age and likewise on a pony, travelled on horseback and in wagons, traversing the old stage road that ran by Natchez and Fort Gibson, thence leaving Vicksburg to the left and Jackson to the right, and veering off into the Indian country.

At night the travellers would sometimes sleep on the ground, covered only with blankets and the arching sky; or if they were lucky enough to reach a public place built of logs, kept by a half-breed Indian and called a "stand," they would enjoy the luxury of a shuck mattress and a roof. On and on the little party moved, through the Choctaw and Chickasaw region, with wild beasts howling at night and the Indians all about them, stopping at Leflore, Folsom, and a tavern at the crossing of the Tennessee River, kept by a half-breed Chickasaw.

Finally they reached Nashville, the home of Andrew Jackson. Major Hinds and the General having been brothers in arms, the hospitable old warrior insisted that the entire party become his guests for an indefinite stay. The invitation was accepted and during several weeks Jefferson Davis sat at the same table with "Old

Hickory," who had not yet, however, proposed his memorable toast, "Our Federal Union, it must be preserved."

In the course of time, Jeff arrived at his destination and was duly enrolled as a pupil in a Catholic school. With priests and pupils, all of whom were Catholics, the small lad was a prime favorite. He slept in the same room with one of the priests. In fact he admired the method of the Catholics so well that he would have become one himself if Father Wilson had not objected. "May I not join the church?" the eight-year-old child asked one day as Father Wilson was munching his frugal meal. Smiling a gentle smile and offering the lad a biscuit and bit of cheese, the good priest replied, "For the present, you had better take some Catholic food."

After two years at this school, Jefferson and his guardian, a law student named Charles B. Green, set out for the lower Mississippi valley, sailing down the river on a brand-new steamer called the *Ætna*. During the next few years, young Davis attended Jefferson College in Adams County, Mississippi, and later the Academy of Wilkinson County. In this academy he came under the instruction of a Boston teacher, John A. Shaw, "a quiet, just man who greatly impressed" his young pupil. At this period we may get a glimpse of the elder Davis, an unbending, undemonstrative individual.

At the county academy during a noon recess, Jeff had been kept in for not committing certain verses to memory, and was threatened with a thrashing. In high dudgeon, the irate pupil grabbed his books, stalked out of the schoolhouse, and marching to the parental roof, unfolded his tale of woe. "All right," quoth the imperturbable father, "all right, quit school. I want more cotton pickers and will give you a job."

Next day the youngster, with a bag on his shoulder, joined the hands and picked cotton quite vigorously till nightfall; but the hot sun caused him to change his mind, and he went back to school "as the lesser of the two evils."^{*} This seems to be the only bit of manual labor the young man ever undertook. In truth, in his eightieth year, he made a characteristic observation upon the above incident. "To have worked with my own hands in the field," he remarked, "would have implied an equality with laborers."

^{*} Quoted in *Memoir*, I, 17, from Jefferson Davis's short autobiography.

Jefferson Davis was now thirteen years old, with some knowledge of Latin, Greek, and history, and fine prospects for the future. His father and brother Joseph, who had moved back to Mississippi and become a lawyer and planter, therefore determined to enter him in the best college in that section. Transylvania University at Lexington, Kentucky, was selected, and there the young man entered upon a larger world, rubbing up against three or four hundred bright, active young fellows, and with teachers of note. The professor of language was a graduate of Trinity College, Dublin; the vice-president was a Scotchman, afterwards president of an Ohio college; and the students were gathered from the Gulf to the Lakes.⁹

In 1847 six United States senators were graduates of Transylvania, and four of these had been college mates of Jefferson Davis. There were David R. Atchison of Missouri, advocate of slavery and vanquisher of Thomas H. Benton; George W. Jones of Iowa, to remain Davis's steadfast friend; S. W. Downs of Louisiana, with whom Davis was to be at outs; Dodge of Wisconsin; and E. A. Hannegan, the great expansionist.

His three years at Transylvania were pleasant ones. He ranked as a good fellow, did fair work in his classes, and made progress in every study except mathematics—mathematics he could never master. At Mrs. Ficklin's boarding house, where he lived, he was remembered then and afterwards with deep affection.

But even at that early age the young man was beginning to develop a cold, priggish, formal manner; to express himself in a parenthetical style which grew with the growing years. Thus in 1824, when he received a letter from home announcing the death of his father, he replied without the unrestrained childish grief of a bereaved youth of seventeen:

DEAR SISTER:

It is gratifying to hear from a friend, especially one whom I had not heard from so long as yourself; but the intelligence contained in yours was more than sufficient to mar the satisfaction of hearing from any one. You must imagine, I cannot describe, the shock my feelings sustained at the sad intelligence. In my father I lost a parent ever dear to me, but rendered more so (if possible) by the disasters that attended his declining years. When I saw him last he told me that we

⁹ *Mississippi Valley Historical Association Proceedings*, IX, 152.

would probably never see each other again. Yet I still hoped to meet him once more; Heaven has refused my wish. This is the second time I have been doomed to receive the heart-rending intelligence of the death of a friend. God only knows whether or not it will be the last. If all the dear friends of my childhood are to be torn from me I care not how soon I follow. I leave in a short time for West Point, State of New York, where it will always give me pleasure to hear from you. Kiss the children for Uncle Jeff. Present me affectionately to brother Isaac; tell him I would be happy to hear from him; and to yourself the sincere regard of

Your brother,

JEFFERSON.

Captain Samuel Davis's last days had been spent wandering about in vain search for bounty lands in Pennsylvania which he understood his father Evan had once entered.¹⁰

So enjoyable was life at Lexington that young Davis was loath to leave. When he finally quit Transylvania and entered West Point in 1824 at the age of sixteen, it was with great reluctance. "My eldest brother, who then occupied to me the relation of parent," said Davis quite late in life, "insisted that I proceed to West Point at once. I consented to go, but only on condition that I remain there one year and then enter the University of Virginia."

When the imperious lad gave up the life of a civilian for that of a soldier, his career underwent a permanent change. Ambitious, pampered, climbing the social ladder, but without family ties to bind him to the past, he was now cast forth on his own hook. Had he been of a line of well-bred Americans, had a portrait of some judge or governor, some bishop or scholar, adorned his ancestral walls, or had the roots of a venerable ancestral tree struck deep into the soil, or had Evan and Samuel and Jefferson established a local habitation, lived at one spot long enough to love it and to call it home, would the young man's career have shaped itself differently? ¹¹

¹⁰ Whitsitt, 14.

¹¹ Baird, Robert, *Valley of the Mississippi*, 1832; Chambers, Henry E., *Mississippi Valley Beginnings*, 1922.

CHAPTER II

BRASS BUTTONS

Twenty-odd miles below Vicksburg, the Mississippi River almost boxes the compass, and flowing west, south, east and northeast, forms a peninsula with four miles of shore line. Within its borders are fertile acres of river bottoms, of forest and flower, with here and there a beautiful lake, infested, however, by mosquitoes and other pests.

The place now goes by the name of Davis's Bend, but in 1818 when Joseph Davis, Jeff's brother, entered the tract as "wild land," it was called Palmyra. Here steamboats touched. The old Indian trail from Natchez to Vicksburg also passed five or six miles to the east of it. Why one should have selected as a home this isolated spot, almost unapproachable except by boat, is not easy to understand. Yet Joseph E. Davis did that very thing.

Perfecting his entry to the land, he later obtained a grant from the Government for the entire tract, a fact to be kept in mind as it is tragically connected with the life of the two brothers.¹ About the year 1827 Joseph built a comfortable residence on the peninsula and moved down from Vicksburg: he was going to lead the life of a lordly planter.²

His father, Samuel, had either given or sold him, exactly which is not determined, the three family slaves, and Joseph bought others and with these laborers cleared the forest, opened up new ground, built slave quarters, stables, barns, and a cotton gin, creating a typical southern plantation, an empire in itself. Joseph had been in the first Mississippi Convention of 1817 and was a successful lawyer, but preferred a planter's life with its sense of proprietorship, its leisure, and opportunity for general reading and culture.

Of a reserved, conservative nature, except when crossed and then

¹ *Jefferson Davis vs. Bowmar et al, Executors of Joseph E. Davis and the children of said Joseph E. Davis*, 55 Miss. Report, 670-815.

² Montgomery, 20.

hard as flint, his tastes ran to the science of government and farming, and to finance and history, his well-selected library reflecting a determination to master these subjects. Steeped in the philosophy of Plato and Aristotle, which justified the relation of master and slave, and yet able to speak the last word in practical affairs, Joseph impressed every one with his courage, intellect, and learning. "In every *question of honor*," says Reuben Davis in his inimitable *Recollections*, "he was the admitted arbiter and his decision was always final authority."³

His plantation he named "Hurricane" because a great storm had recently swept through it, uprooting the forests. Now it must not be thought that Joseph's change from a lawyer's office to a planter's life was a let-down; it was just the opposite. Though hid away on a Mississippi peninsula, he had great influence in the county, especially as a politician and Democrat. In the course of a few years he came to own hundreds of slaves, raised droves of mules, horses, and cattle, and reckoned his wealth by the hundreds of thousands if not by the million.

When, therefore, this powerful land-baron suggested to Rankin, the only congressman Mississippi then had, that he would like his young brother Jeff to have a cadetship at West Point, the request was complied with and a commission was issued by John C. Calhoun, Secretary of State under Monroe. With such interest did Joseph watch the progress of the young cadet that he journeyed in a coach from Palmyra to West Point, in company with the Howell family, into which Jefferson afterwards married, to encourage the youngster in his new career.

Entering the United States Military Academy in 1824, at the age of sixteen, Jefferson Davis graduated four years later near the tail end of the class—twenty-third, to be exact, out of a class of thirty-three. He alone of this class later attained high distinction. During his four-year course, however, many names subsequently to become famous were entered on the rolls.

Cadet Davis soon formed an attachment for upperclassmen Albert Sidney Johnston, Leonidas Polk, and L. B. Northrop, ties which time but strengthened. With Joseph E. Johnston and Robert E. Lee, both a class below him, he seems not to have come into

³ Davis, R., *Recollections of Mississippi*, 79. Reviewed in *Atlantic*, LXV, 225. Reuben was not related to Jefferson.

close contact.⁴ To his last day Jefferson Davis bore a real affection for West Point; its memories cheered him through good and evil report, and under Buchanan he served as a Visitor to the institution.

Arms now became young Davis's business and war his obsession. The intricacies of the drill he mastered; he investigated guns, both big and little, comparing muskets and rifles and contrasting them. He likewise sat his mount with the ease and dignity of an expert and generally bore himself with the coolness and abandon of a soldier. In the classroom one day a practice fire-ball was accidentally ignited and about to explode. The professor, who disliked Davis, shouted, "All hands run for your lives!" In sheer contempt Jefferson picked up the hissing bomb and tossed it out of the window.⁵

His attitude toward the faculty was often defiant, and many of its members regarded him as an obstreperous youth of mediocre ability, soundly scolding him for dullness.⁶ Frequently he broke rules and was kept in. He was often demerited and in one midnight frolic came near losing his life. Returning to the barracks in company with other cadets at a late hour, he rolled and tumbled, head foremost, full sixty feet down the steep bank of the Hudson. This rebellious spirit, however, was inbred and not the result of drink or dissipation, the cadets uniformly testifying to the young fellow's sobriety and decency, along with his pugnacity and high spirits.⁷

In July, 1828, with a commission as second lieutenant of infantry in his pocket, the young officer went down to Mississippi to spend his vacation with his brother Joseph. Here he found his mother also visiting, though she still resided in the old home near Woodville.

As the far-sighted Joseph, now forty-four years old, looked upon the self-centered Lieutenant, his mind no doubt ran far into the future. He could see him a leader of men, expelling the Indians, inducting white natives, expanding the country, and developing the great West. But the young man must be fitted out for the part,

⁴ *Memoir*, I, 37; Cullom's *West Point Register*.

⁵ *University Bulletin*, VIII, n.s. 3, no. 6, June, 1917. La.

⁶ *Memoir*, I, 53.

⁷ *Ibid.*, Chapters 4 and 5.

supplied with the best equipment, with epaulettes and sword and uniform; he must likewise have a body-servant to accompany him and be at his beck and call.

Scanning the list of slaves, Joseph found one he considered well fitted for this delicate position. James Pemberton was the black man's name—*Pemberton*, not *Davis*—there were no negroes bearing the Davis name. There were Montgomery negroes, Pemberton negroes, Jones negroes, acquired by Joseph at public auction, but no old family servants coming down from sire to son, appendages of the soil, as in Virginia or South Carolina. No dignified black, tall, silent, and stately, to share in the family glory, and to be proud of the family heritage. The Davises were much too new for that. James Pemberton, however, must have come of unusually good stock and of excellent surroundings, for he became Jefferson Davis's steadfast friend, serving him in war and peace.

The presidential campaign of 1828 was now on, Andrew Jackson and John C. Calhoun, both Southerners and not yet hostile, opposing John Quincy Adams and Rufus Rush, both Northerners, and the sectional issue again raising its head, as in 1803 and 1820. The Davis brothers whole-heartedly supported Jackson and Calhoun and espoused the southern cause. What right had Congress to legislate against slavery, anywhere or in any manner? Were not slaves property, protected by the Constitution, and was not Mississippi a sovereign state? These and other questions the two brothers, in the solitude of their home, raised and answered—to their own satisfaction.

Soon the young soldier's vacation ended and in the winter of 1828 he set out for his first post of duty at Fort Crawford in the present state of Wisconsin. Boarding a river steamer and waving adieu to Hurricane, the petted Lieutenant, strong in the strength of Joseph and in the care of his faithful slave, set sail up the Father of Waters. At St. Louis he visited Albert Sidney Johnston, George W. Jones, and other old college-mates.

At Fort Crawford he remained about a year, guarding the frontier against hostile Indians, strengthening and constructing forts and doing general garrison duty. Lieutenant Davis later concluded that he had been the first white man to set foot on the spot where the city of Chicago is now built. In 1829 he was detailed for duty at Red Cedar River and at Yellow River, his labors here including

not only garrison work, but also saw-milling operations. The former post was one of danger, as hostile Indians lurked in the underbrush and often attacked the fort.

On more than one occasion Davis was detached from his men and barely escaped the tomahawk of the Indians; and several times he had hand-to-hand encounters with them. During the winter of the deep snow he contracted pneumonia and was near death's door. In the sick man's delirium James Pemberton was always by the cot and is thought to have saved his master's life. But even so, the Lieutenant's health was permanently undermined.

At the battle of Bad Axe on August 3, 1832, Davis's company, together with others, attacked and overcame the army of Black Hawk, one of the most desperate of the Indian chiefs, whom the Lieutenant had the good fortune personally to encounter and to capture. Black Hawk and sixty of his braves were conducted in triumph under Davis's command to St. Louis, and for his valor the young officer was promoted to a first lieutenancy. This honor was well deserved. Whether as an Indian fighter or as an administrative officer, Lieutenant Davis had done good service; and among the friendly Indians he was so much esteemed that he was adopted by one of the tribes and given the honorary title of Little Chief.

During his western camp life the young Lieutenant joined in the roughest sports, shirking no danger, always to the front, and never a tenderfoot or a mollycoddle. If there was a dance, he was on hand, as he was in the sleighing parties or in the exciting chase of the wolf.⁸ Breaking a wild, untamed horse was a great sport, the unruly beast rearing on his hind feet, often rolling on the ground, and seriously injuring the rider.

Another sport, and a cruel one it seems, was called fighting horses. Two vicious beasts would be enclosed in a pen, some forty feet square, there to snap and bite and kick each other till, bloody and exhausted, one of them would refuse to come from his corner. The other animal would then be adjudged winner of the stakes. Sometimes, too, there would be a wolf fight when two or three stout dogs would be pitted against a ferocious wolf, and the spectators would watch the beasts "chew each other up." Occasionally the dare-devil young officer would leap into the ring, tackle the wolf,

⁸ *Memoir*, I, 64.

and fight him a fair, fist-and-skull fight, administering a *coup de grâce* by choking the animal to death.

Now and then friendly Indians would come to the camp and give an exhibition of their famous Discovery Dance. During this tribal rite the Indians were compelled to recite truthfully every exploit of their lives; they would shuffle to and fro and grow excited as the dance progressed. Encounters with hostile Indians were more frequent, these Indians being the Comanches and the Pawnees.

On one occasion a rough soldier was ordered by Lieutenant Davis to remove a pile of scantling from one place to another, but flatly disobeyed. Ordered again to do the work, the soldier once more disobeyed. He had no respect for the boyish, smooth-faced Lieutenant and was testing him out. Davis waited till the disobedient man stooped to pick up a piece of timber and then struck him a staggering blow from the rear with a stout billet of wood, beating him till he called for quarter.⁹

During the year 1833 Lieutenant Davis returned to Fort Crawford, where Colonel Zachary Taylor was in command. At this post other thoughts than war began to animate the young man's breast. There he found the interesting family of his Colonel, the Colonel's wife, three charming daughters, and a cultured son. Almost at sight the young officer lost his heart to one of the girls and asked her hand in marriage. Colonel Taylor was indignant. Was he not a Virginian by birth and a Whig by inheritance? Did he not own a sugar plantation in Louisiana and a great cotton estate above Natchez? Did he not count his slaves by the score? And was he not a man of great wealth?

How dared Lieutenant Davis, a despised Democrat, without family or property or rank, make such a proposal? No, never! If his daughter married Davis, she would be to him and to the Taylors as one dead. The Lieutenant, as stern as the Colonel himself, pressed his suit; in fact is said to have sent the indignant father a challenge to fight a duel.¹⁰

At this stage of the affair Colonel Taylor detached the Lieutenant from the regiment and packed him off to join other troops at Fort Gibson, near Red River in Arkansas and the Indian Territory, hundreds of miles away. But love triumphed. Distance

⁹ *Memoir*, I, 78.

¹⁰ Rhodes, I, 99; Dodd, 41.

and parental anger were unavailing, and after some months in his new field, Lieutenant Davis resigned from the army to marry the daughter of a future president.

The resignation bears the date of June 30, 1835, and the marriage took place a few days later in Lexington, Kentucky, at the home of Colonel Taylor's sister. The bride's family remained obdurate until the last. The simple ceremony over, the resolute couple sailed down the Mississippi to Hurricane for the wedding outing. There in the lowlands, both bride and groom contracted chills and fevers and moved on in a short time to Bayou Têche, where Mrs. Luther Smith, Jefferson's sister, was living.

In six weeks, the lovely bride was a corpse, dead far away from family and kindred, on her deathbed singing her favorite hymn, *Fairy Bells*. "Not a member of the Taylor family wept over her open grave," bitterly records the second Mrs. Jefferson Davis.¹¹

¹¹ *Memoir*, I, 165; *Publications of the Mississippi Historical Society*, XII, 21.

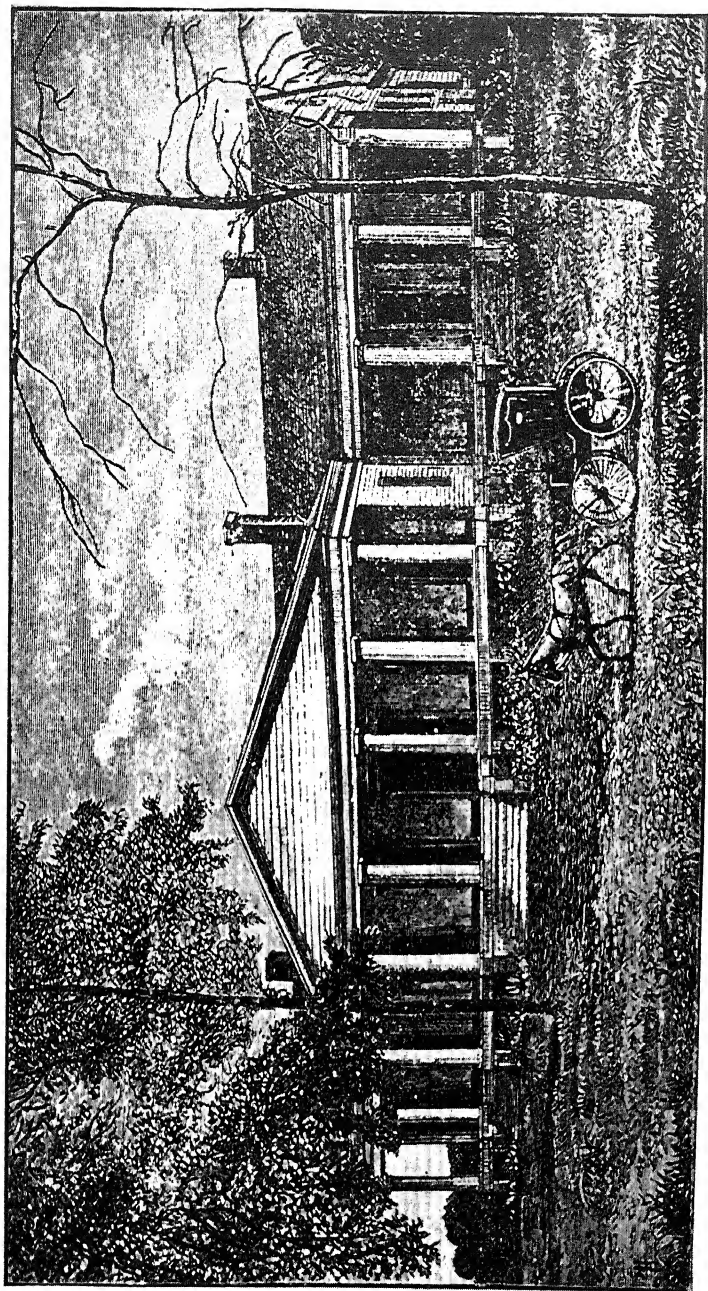
CHAPTER III

HURRICANE AND BRIERFIELD

While the young couple were confined at Mrs. Smith's with fever, they were given separate apartments, but the anxious husband insisted on being nearer his wife and when the end came he was by her side. After her death, he lingered at his sister's and brother Joseph's till the fall, cajoled back to health by his ever-faithful slave, James Pemberton. In the month of November he was sufficiently restored to visit New Orleans and Havana, where soft skies, new scenes, and efficient treatment worked wonders. From Havana we find the young man off for New York and Washington.

Congress was in session, and the Mississippi senators and representatives were glad of an opportunity to be courteous to the favorite brother of Joseph Emory Davis. As for George W. Jones, Davis's old Transylvania schoolmate, now a delegate from the Territory of Michigan, he welcomed Jefferson with open arms. The usual privileges of the Senate and House were extended to him; he became familiar with the noted men of the mess or boarding house: Thomas H. Benton, Franklin Pierce, Senator Allen, and a Doctor Linn. He was also introduced to the best drawing-rooms of the Capital.

So far had he now recovered his spirits that we find him at breakfast in the White House, "his arched feet encased in boots so smart and elegant as to attract the attention of the President himself." At a party given by the Secretary of War nearly all the guests drank more than was good for them and at a late hour dispersed to find their way home as best they could over rough unpaved streets, dusty when it was dry and muddy when wet. Senator Allen, being particularly drunk, was escorted by Jones and Davis, but managed to escape from them and fall into the Tiber, a river which crawled across Pennsylvania Avenue just below the Capitol, and oozed on, slow and dirty, into the Potomac flats.



BRIERFIELD

The home of Joseph Davis, near Vicksburg, Mississippi

Curtius-like, young Davis leaped into the chasm to the rescue of his new-found friend, with such results that, when he reached his mess "he was bleeding profusely from a deep cut in his head, the blood streaming down over his face and upon his white tie, shirt front, and white waistcoat."¹

It seems that Allen's fall was broken by his condition, but Davis was bruised, cut, knocked senseless, and "would have been dead in five minutes but for the timely arrival of Doctor Linn." In this peculiar affair, as in other midnight escapades and hairbreadth escapes, we are assured by those present that Jefferson was cold sober. In the spring of 1836 Davis, well pleased with his Washington experiences, landed back at his brother Joseph's home, and, though out of a job, with brave heart and nerves restored, he took up his new life.

Undoubtedly he had resigned as lieutenant and moved to Mississippi to save his young wife the discomforts of an army officer's life. Moreover, no war was then in sight and promotion had been slow, one grade only in five years.² During the previous summer and while Mrs. Davis was alive, Joseph had assured Jefferson that eight hundred acres of the Hurricane plantation should be cut off and given to him; and Jefferson had sketched the plans of a queer-looking "cat and clayed house," which Jim Pemberton as foreman and Joseph Davis's slaves had partly completed out of logs cut from Hurricane.

The front doors of this bedaubed log cottage were six feet wide and "when opened the sides of the house seemed knocked down." By some mistake the windows were breast high "and the fireplaces so deep they looked as though they were built to roast a sheep whole." The place was called Brierfield on account of the wilderness of briars thereabout. It was distant from Hurricane about two miles. While Jefferson Davis was a widower he seldom occupied Brierfield.³

Mrs. Jefferson Davis's death having changed the plans of the husband, instead of occupying this cabin he became the guest of

¹ *Memoir*, I, 166.

² I follow Mrs. V. Davis's *Memoir* and not her affidavits. In the lawsuit she states that her husband quit the army solely because Joseph promised to make him a present of Brierfield.

³ *Ibid.*, Ch. XVI.

Hurricane, partook of its hospitality, and for eight years rarely left the plantation. In early life, as we have seen, Joseph had occupied the relation of parent to Jefferson, and now the young widower, twenty-eight years of age, was becoming still more indebted to his older brother. "Materially and intellectually, I was more indebted to him than any other person in the world," Jefferson wrote.⁴

The two brothers, much alike in taste and temperament, were inseparable. They read aloud from the *Congressional Globe*, committed to memory the sayings of Jefferson, were students of the Constitution, of Elliott's Debates, and of the Virginia and Kentucky Resolutions. Naturally they took interest in the political parties of the day. They had deep convictions relating to the rights of the states and the sacredness of property in slaves; they followed Calhoun in his earlier resolutions as well as the recent one directing postmasters to destroy petitions relating to the abolition of slavery. So sure were they of themselves they were "prone to suspect insincerity on the part of any one who dissented from them."⁵

During the day the brothers were in the saddle, with gun and dogs, galloping through the tangled river bottoms, over the plantation roads and byways, looking after the slaves, inspecting the crops, the fences, and ditches, and discussing the science of agriculture. Occasionally they would go to Vicksburg, the county seat of Warren, and Joseph would preside over the convention of duelists and formulate the code of honor.⁶ Natchez, the financial as well as the social metropolis of Mississippi and the great cotton market, was their slave depot.

One day soon after Jefferson arrived at Hurricane, Joseph proposed to lend him money enough to stock Brierfield with negroes and open up a real plantation. At that time, according to Joseph McKinney, a former slave, "The onlyest nigger Mas' Jeff had was Jim Pemberton." In after years another of Jefferson Davis's slaves, Sam Charleston by name, when speaking of the occasion of his own purchase, said:

"When they had us up in a row at Natchez, Mas' Joe says, 'I

⁴ Rowland, *Encyclopædia*, I, 623; 55 Miss. Reports, 691; *Memoir*, I, 33.

⁵ *Ibid.*, 171.

⁶ Foote, *Caskets*, 186.

don't buy you; he [pointing to Mas' Jeff] bought you and he's yo' Master.' Mas' Jeff bring me at the Hurricane and put me to wuk there; we built the fust cabin. Mas' Jeff at the same time he bought me bought ole Uncle Robert, Aunt Rhina, Rhina number two, William, Jack, Frances, Charlie, ole Charley, Solomon, Betsy, Fanny, Moses, Jeffreys, young Hager, Kiziah, an' ole Hager." Other witnesses added to the above list, "Phœbe and Romeo."⁷

In a few years these slaves and Jim Pemberton, the foreman, had wrought wonders at Brierfield. They cleared the forest, cut ditches, drained the land, planted trees and flowers, laid out highways, and generally brought the plantation up to a high state of cultivation. Davis's Bend, when "wild land," was worth not more than five dollars an acre, but when brought under cultivation would bring from eighty to a hundred dollars. Cotton had supplanted indigo as the money crop and there were flush times in Mississippi.

In December, 1836, cotton was bringing twenty cents a pound, and during such a year Hurricane yielded perhaps twenty thousand dollars, though Brierfield, smaller and not so well stocked, yielded nothing like so much. Hurricane indeed was the center of Palmyra, and Joseph Davis the lord of the island.⁸ Hundreds of slaves did his bidding. His stables were filled with blooded horses, well groomed, and designated by appropriate names. There were Highland Henry, so red he fairly glowed in the noonday sun; and Black Oliver, a famous stud, sire of the Davis pacing stock; and Gray Medley, a vicious animal that kicked Randall, the groom, to death. In a short time Jefferson also had fitted himself out with a dozen well-broken saddle horses. Throughout the Mississippi valley there were no horsemen that eclipsed the Davis brothers.

Hurricane and Brierfield were also adapted to wild game, which was more abundant than chickens. "Wild geese in great flocks fattened on the waste corn in the fields, wild ducks in never-ending droves circled and fluttered in the December sun, and blue cranes might be seen lazily standing on one leg adorning every slough, in the midst of immense lily pads and lemon-colored flowers as large as coffee cups."⁹

⁷ Referring to the well known Jim Jones, often called Jefferson Davis's slave, he was never a slave, but "an old-issue free nigger."

⁸ I use the word "Palmyra" to designate Davis's Bend.

⁹ *Memoir*, I, 203.

Huge turtles bask by yonder sluggish lake,
A hoarse bull-frog is croaking on the bank
And like a jeweled necklace swings a snake
Amid the mosses of the cypress dank.

Forty miles from Hurricane and just outside of Natchez the Howell family lived. They were Whigs and the Davises Democrats, yet Joseph had long been a friend of the Howell family. "Briars," the Howell home, was a comfortable place, though not a pretentious one. Now in the early 1840's Varina Howell was a young miss of sixteen and Joseph Davis had his eye on her as a future sister-in-law. Just before the Christmas holidays in 1843, he therefore sent word to his friends, the Howells, extending a pressing invitation to the young woman to visit Hurricane, there to remain a month or longer. The damsel accepted the invitation and, boarding the steamer *Magnolia*, landed at the Diamond Place, a few miles above Hurricane.

At the wharf she was met by one of Joseph Davis's nieces on horseback. An obsequious man-servant was leading another mount with a lady's side-saddle; nearby the old-fashioned high-swung carriage and pair were in evidence to take care of the young lady's trunks, band-boxes, and other belongings. During the halcyon days that followed, man and maid were much alone. In the arched music room, on the wide galleries circling the house above and below; in the tea room; under the spreading liveoaks; in the flower garden; in the saddle—the old, old story. But the impression the young suitor made on his fair visitor was not favorable and she so wrote her mother.

After describing Jefferson as the kind of a fellow who would rescue one from a mad dog and then insist on a stoical indifference as to the fright afterwards, the philosophical little miss goes on to say, "He impresses me as a remarkable kind of a man, of intense temper, and has a way of taking for granted that everybody agrees with him when he expresses an opinion, which offends me. Yet he is most agreeable and has a peculiarly sweet voice and a winning manner of asserting himself. I shall never like him as I do his brother Joe. Would you believe it, he is refined and cultivated and yet is a Democrat."¹⁰

¹⁰ *Memoir*, I, 192.



VARINA HOWELL
(Mrs. Jefferson Davis)

In spite of this opinion, however, before the holidays were over, Jefferson Davis and Varina Howell had entered into a life contract and on February 26, 1845, were married at the Howell home by the Episcopal clergyman of Natchez. After visiting Mr. Davis's kinspeople, including his mother, of whom the young bride was very fond, the two set up housekeeping in the cat and clayed cottage where they intermittently resided till the Civil War cast them adrift. This alliance, it must be said, was one of the wisest acts of Jefferson Davis's life.

Varina Howell, granddaughter of a New Jersey Governor, was born in Natchez in 1826 and was therefore eighteen years younger than her husband. The Howell family were people in good circumstances and were, as has been said, conservative Whigs. The marriage, therefore, brought to the husband a strength he did not possess. A well-educated woman, having gone through the best schools in Philadelphia, Mrs. Davis had a keen intellect, a sharp tongue, and deep insight into human nature.

Moreover, she was brave, loyal, self-asserting, and somewhat coarse. Her lips were thick, her frame compact and stocky, and her features more masculine than feminine; yet her face was comely. She was affectionate and a good hater.¹¹ Until her arrival on the Mississippi island, peace and concord had prevailed at Hurricane. During the eight years, Joseph and Jefferson, a sister, Mrs. Bradford, Mrs. Joseph Davis and her children had lived as one family. What was to happen now Jefferson's new wife had arrived?

I have described Hurricane and Brierfield, newish establishments in the river bottoms, but have said nothing of the homes of Whig aristocrats in the older, more healthful, and more cultured sections of the splendid state of Mississippi. Concord, three miles from Natchez, had been the residence of a number of old Spanish governors. Dunbarton, a fine old estate, was erected by Lord Dunbar. Summerset, Glenburnie, Longwood, Elmcourt, Brown's Gardens, and scores of other places, with sweeping lawns, gardens, drives, noble shade trees, broad verandas supported by classic columns, and soft interiors, might well be the envy of modern architects.

In the twenties, the resolute and scholarly John Anthony Quitman came down from New York and entered this charmed circle;

¹¹ Pollard, *Lost Cause*, 154; Bradford, 174.

he was captivated by the ease, the grace, and the dignity of his surroundings. Writing of the planters who lived luxuriously, drinking the costliest port, Madeira, and sherry, he tells us how a guest was treated under the roof of a Mississippi gentleman.

"Your coffee in the morning before sunrise, little stews and soporifics at night, and warm foot baths if you have a cold. Bouquets of fresh flowers and mint juleps sent to your room, a horse and saddle at your disposal. Everything free and easy and cheerful and cordial." To this quaint picture Reuben Davis adds a touch when he sighs and exclaims that "the cup of the Mississippi master was filled to the brim with the sweet and sparkling wine of success and prosperity and crowded with the roses of joy and hope."¹²

Quitman was a stout interesting fellow to become the governor of Mississippi; a general, a filibuster; and the leading secessionist of his state. A few years before his arrival, another "Yankee" had come down from Maine, Sergeant S. Prentiss, the magnetic speaker, duelist, and *bon vivant*. Brave to foolishness, Prentiss was, "yet he would not hurt Uncle Toby's fly." He and Foote fought two duels at ten paces and in one encounter Foote was desperately wounded. As derringers were being primed for a second shot, Prentiss noticed a small boy climbing a sapling to get a better view, the crowd around being dense. "My son," said Prentiss to the youngster, "you'd better take care, General Foote is shooting rather wild."

And then the third Yankee to invade Mississippi was Robert J. Walker of Pennsylvania, brother-in-law of George M. Dallas. Of doubtful reputation, Walker was yet one of the most practical and far-sighted southern statesmen from 1830 to 1860—a mere whiffle of a man, all intellect, with big nose, big head, big eyes. A tariff builder, a president maker, an expansionist, and the Warwick of the Democratic party, Walker late in life became the Nemesis of President Davis, and the enemy, if not the destroyer, of his foreign policy.

During these golden days, perhaps in national affairs no state in the South surpassed Mississippi. Three of her sons were called into the cabinet: Walker, Secretary of the Treasury under Polk;

¹² Davis, R., 290.

Jefferson Davis, Secretary of War under Pierce; and Jacob Thompson, Secretary of the Interior under Buchanan.

To these must be added such local names as the invincible Senator George Poindexter; Sharkey, the Chief Justice, wise and conservative; the thorough-going Governor A. G. Brown; Governor McNutt, repudiator and buffoon, yet a most wonderful stump orator; and the erratic Henry Stuart Foote, a fiery little man who wore green goggles and fought duels. But for Foote, Henry Clay could never have put over his Compromise of 1850, and probably Mississippi and South Carolina would have seceded and with success ten years before they did.

On Mississippi soil indeed, long before the Civil War, everything converged to a mighty tragedy. Time, place, and circumstances had met. The actors, too, were fitted to play their parts. Thither adventurers had flocked by the thousands. Mississippi was the melting pot of America; aristocrats from the worn-out lands of Virginia and Carolina settled near Natchez, Washington, and Woodville; roughnecks from Tennessee, Georgia, Pennsylvania, and from foreign lands, preempted the rich bottoms and North Mississippi.

In one year Virginia sold a hundred thousand slaves on credit to the Mississippi and other far southern planters, thereby precipitating a panic. A thousand steamboats, gaudily painted and richly furnished, raced and bellowed up and down the Mississippi River. Crowded with sightseers and new settlers, these boats often exploded and drowned the passengers by the hundreds. In a decade the state's population more than doubled, the slave population increasing faster than the white.¹³ When cotton was bringing twenty cents a pound and the banks had not failed, every one was rich; but when the fleecy staple fell to eight cents, every one was dead broke.

"To-day we drink; to-morrow we die," was the Mississippi motto. Duels were of frequent occurrence. Natchez-under-the-Hill typified the times. Steamers approaching the harbor fired a salute. From the shore an answering cannon boomed, and the disreputable place was ready to receive the cargo. Barrooms, dives, brothels, gambling hells, courtesans, murderers, highwaymen

¹³ Slave population of Mississippi: 1800, 3,400; 1810, 17,000; 1820, 32,000; 1830, 65,000; 1840, 195,000; 1850, 309,000; 1860, 437,000.

—the off-scourings of the earth—thugs from the four corners of the world, made up Natchez-under-the-Hill. And yet, just above the bluff was Natchez proper, a comely city, with banks, churches, hotels, residences, ornate and beautiful, and a theatre at which Booth and Barrett filled an engagement of nine nights.

The lawlessness and demoralization of Mississippi in these flush times were not confined to society and politics, they found expression in the halls of justice. On one occasion Reuben Davis, brave as Julius Cæsar, was defending a criminal when the simple question arose as to how many challenges the state was entitled to. "Four," the prosecuting attorney insisted. "No," said Davis, "only two." Judge Howry ruled with the state's attorney. Davis called for the statutes and they confirmed his contention. "So, sir," said the triumphant Davis, "you see I am right." The prosecuting attorney, though ordered to take his seat, continued standing and the judge very strangely fined Davis fifty dollars for contempt.

Davis whipped "out a knife with a long keen blade, and dashed it into the desk till it quivered and broke." An uproar ensued. Three men seized Davis and two the judge. The court stood adjourned till the afternoon. During the recess Davis met Judge Howry in the hotel corridor and demanded an explanation.

"I give no explanation of my official conduct," the judge proudly retorted. "In a moment," says Davis, "I had slapped him in the face with my open hand. . . . Seizing a claw hammer, the judge broke and depressed the outer plate of my jawbone when I opened the broken knife and rushed at him. I then made another stroke at his jugular with the corner of my knife blade." A crowd, getting wind of the fracas, separated the belligerents and Judge Howry's court stood adjourned, *sine die*.¹⁴

These were the times, these were the morals in which Jeff Davis was reared, but in his island home he was poring undisturbed over his books, getting ready for leadership,¹⁵ and why not the greatest? Strikingly handsome, erect, six feet two inches in his stockings, better equipped than any competitor, conscious of power, the imperious young Southron proposed to climb the ladder to the utmost rung—climb it or perish in the ascent.

¹⁴ Davis, R., 147.

¹⁵ Geologists declare that Davis's Bend was once an island.

CHAPTER IV

RAGTAG AND BOBTAIL

Only once did Mississippi cast her vote for a Whig President, and that was in the log-cabin and hard-cider campaign of 1840, when "Tippecanoe and Tyler too" were elected. At all other times the bold adventurous state swept forward for an academic democracy and for slavery extension. Whigs as a class, being conservative, stood for the rights of property as well as of persons.

South Mississippi, in which the Davis brothers lived, was the older and more cultured part of the state and therefore attached to the Whig party. The newer, ruder, and upper half, from which the Indians had not been driven till 1831, was Democratic. The conflict between the two sections was bitter in the extreme and in nothing was it more manifested than in matters of finance.

In 1817 Mississippi had been admitted as a slave state to offset Indiana, which came in the year before as a free state. During its territorial existence money had been scarce, and the legislature had allowed receipts for cotton delivered at a public gin to pass as a circulating medium. After statehood the process had been made still easier. Receipts for cotton delivered but not ginned were made currency. This crude arrangement continued until 1832, when it was superseded by the Planters Bank. This bank, as will be remembered, was organized the very year when Jackson vetoed the act authorizing an extension of the charter of the Bank of the United States and when there was a panic in the land.

But the supply of money was still short of the demand; the cotton crop of Mississippi, worth fifteen million or more, could not be moved with six million in cash. The Union and other banks were therefore chartered. In 1836 the Union Bank sold five millions of its bonds, duly endorsed by the State of Mississippi, to the United States Bank of Pennsylvania, of which the famous Nicholas Biddle was president. When the Biddle gold landed at Natchez, there was public rejoicing. A band escorted the precious metal along

the streets, cannon roared, and bonfires blazed. The money panic was broken at last.

The Planters Bank bonds involved a more complicated scheme. The Bank's officers had procured from the legislature an act authorizing an exchange of several millions of its stock for a like amount of state bonds. The exchange was made, and the bonds were issued and sold in the markets of the world for full value. The great banking scheme was now well under way. Impecunious planters borrowed all they could get, mortgaging lands, cotton, slaves, horses, mules, and what not. Soon the funds were all placed. Commerce was king and Ragtag and Bobtail his cabinet council.¹ The plans above outlined had been fathered by the Democratic party, endorsed by two legislatures and twice approved by McNutt, the Democratic governor. An agricultural state of only 350,000 people had piled up a debt of seventeen million dollars; interest was more than a million a year and the per capita tax more than forty-five dollars. Yet "shin plasters" continued to circulate—it being a dueling offence to refuse any gentleman's rag money.²

A gay state was Mississippi during the second Mississippi Bubble, if Reuben Davis gives a true picture. "I have often laughed," he wrote, "at the recollection of a scene of which I was only a spectator that winter in Jackson. It was far on in the depth of a winter night when I was awakened by a confusion of sounds in the street: music predominated. I threw open a window and beheld a long line of well-dressed gentlemen proceeding in single file down the middle of the street and loudly singing the then popular melody, 'Buffalo Bull Came Down the Meadow.' It was the legislature of Mississippi indulging in an airing after having spent an evening in the worship of Bacchus. The chorus was given with a will and the streets fairly resounded with the lively ditty. It was a sight long to be remembered."

The reign of rag money was a short one. The Union bonds first fell due and non-resident holders demanded coin. They had a right to do this under Jackson's specie circular, though Taney, Secretary of the Treasury, had endorsed the bank-scheme, rag money and all. At once the wildcat project collapsed, and in 1841,

¹ Rowland, *Encyclopædia*, I, 195; Baldwin, 88.

² Called "shin plasters," Montgomery, 22.

Governor McNutt, who had signed the Union bonds, urged their repudiation. The governor's message was highly characteristic. "The Rothschilds," said he, "have a mortgage on the tomb of the Saviour; shall they also get a lien on our cotton fields and our children?"

Repudiation entered politics and became the only issue before the people. General demoralization set in. It was a time of rage and excitement. Thousands of acres of valuable land went under the hammer and homes were broken up. Creditors who could get away fled and went to Texas, the return on writs of attachment being, "G. T. T.": Gone to Texas. Tucker, advocating repudiation, was elected governor, but the legislature refused to pass an act of repudiation.

During the campaign the attack on the Union Bank bonds had been two-fold. First, that the Union Bank to which the bonds were issued was a different corporation from the one authorized by the statute. Second, that the constitutional requirements that a measure of this kind should be passed by two separate legislatures had not been complied with. These objections were purely technical and did not go into the merits of the matter and the State Supreme Court so decided, as we shall presently see.

The campaign of 1843 was likewise waged on the issue of repudiation, and in this condition of the politics of Mississippi it was Jefferson Davis's ill luck to emerge from his retreat at Brierfield and enter the race as the Democratic candidate for the Senate from Warren County. The Democrats favored repudiation; the Whigs advocated the payment of the bonds. The many friends of young Davis, recognizing his gifts as a scholar and thinker, brought him out to attack the Union Bank bonds.³ Davis's opponent was Sergeant S. Prentiss of Vicksburg, already mentioned, a wonderfully weird and dramatic orator whose "strange charm was like music and poetry and flame and fire and love and hate and memory and aspiration, all bearing away in one swift torrent the souls given up to its enchantment."

A joint discussion between the two candidates took place at Vicksburg, and under the terms of the debate the speakers were to alternate, each speaking an hour and then making way for the other. The debate was to continue until the subject was exhausted.

³ Davis, R., 82, 166.

A large crowd gathered and sat through two days of oratory. Prentiss insisted the bonds were valid, that dollar for dollar had been paid for them and the good faith of the state was at stake.

Davis attacked the Union bonds. They were invalid, he asserted, and had not been issued according to the Constitution, in that the act had not been passed by two legislatures,⁴ and the Union Bank, when it purchased the bonds, "was tottering to its fall and had concealed its identity." The suggestion that innocent people, including widows and orphans, would be ruined by repudiation he laughed at, as "the bonds had not been sold in the open market but to a Philadelphia bank" and since then negotiated abroad.

Prentiss replied that one legislature had passed the act and another had approved it; that the contention that the act was changed by the second legislature was highly technical, as the change did not at all affect the substance of the measure. Davis agreed that if the Supreme Court should declare the bonds valid they ought to be paid. When the election took place, Prentiss triumphed and Davis was defeated.

I shall anticipate the course of events and finish Jefferson Davis's connection with this repudiation matter. In 1847 and 1848, Thomas E. Robins from Mississippi came to Washington, while Davis was in the Senate. The two had a conference with respect to the repudiation of the Union Bank bonds. R. J. Walker, Secretary of the Treasury, was called in and his advice asked. Davis proposed to send Robins to England to offer to pay the bondholders in part of their claims if they would surrender the state's bonds. Davis and his associates "were to recognize the legality of the claim and the bondholders were to admit the absence of liability."⁵ The funds with which to compromise with the bondholders were to be raised by private subscription. Walker refused to have any connection with the matter. Robins's offer was rejected by the foreign bondholders, who refused to accept the notes of individuals in full payment of their "scaled" claim. "The bondholders overestimated the legality of their bonds," Davis long afterwards commented, "or else underestimated the pride and ability of the subscribers."

⁴ This point had been decided against Davis by the Supreme Court the year before, as we shall presently see.

⁵ Rowland, VII, 267, 474.

In 1849 the London *Times* made an attack on the State of Mississippi because of her attitude in this matter. Thereupon, Senator Davis wrote a public reply, almost as unfortunate as Governor McNutt's message.⁶ He laughed "at the crocodile tears shed over innocent bondholders," insisted that the bank which purchased the bonds "was tottering to its fall and had concealed the transaction under the name of an individual." He ridiculed "the rickety bank," flatly repudiated the Union Bank bonds and suggested that "the Planters' bonds might be taken care of."⁷

In 1853 a plebescite was ordered on the repudiation of the Planters' bonds. When the election was held, Jefferson Davis approached the polls and, holding his ballot in air, announced he was voting against payment. The bonds were repudiated by the people.⁸

The letter to which I have referred reads as follows: "The state of Mississippi has no other question with Bondholders," Senator Davis wrote, "than that of debt or no debt. When the United States Bank of Pennsylvania purchased what is known as Union Bank bonds, it was within the power of any stockholder to learn that they had been issued in disregard of the Constitution of the State, whose faith they assumed to pledge.

"By the Constitution and laws of Mississippi, any creditor may bring his suit and test his claim. To this the bondholders have been invited, but conscious that they have no valid claim they have not sought their remedy. Relying upon empty (because false) denunciation, they have made it a point of honor to show what can be seen by judicial investigation; i.e., that there being no debt there can be no default.

"The crocodile tears that have been shed over ruined creditors are on a par with the baseless denunciations which have been heaped upon the state. These bonds were then purchased by a bank, then tottering to its fall, purchased in violation of the Charter of the Bank, or fraudulently by concealing the transaction under the name of an individual, as may best suit those concerned—purchased in violation of the terms of the law under which the

⁶ Washington *Union*, Davis's paper, May 25, 1849; *Mississippian*, August 29, 1849.

⁷ *Memoir*, I, 182; Rowland, *Encyclopædia*, I, 613.

⁸ Foote, *Caskets*, 186, 214.

bonds were issued and in disregard of the Constitution of Mississippi of which the law was an infraction.

"To sustain the credit of that rickety bank, the bonds were being purchased abroad for interest on loans which could not be met as they became due.

"A smaller amount is due for what are termed Planters Bank Bonds of Mississippi. These evidences of debt, as well as the coupons issued to cover accruing interest, are receivable for state lands and no one has a right to assume that they will not be provided for otherwise, by or before the date at which the whole debt becomes due."

An important point in connection with the Prentiss-Davis debate of 1843 was this: What had the Mississippi courts then decided? Had they held the act incorporating the Union Bank valid and constitutional? Undoubtedly the courts had so held. In January, 1842, a year before the Prentiss debate, the Supreme Court decided that very point in the affirmative. Though this decision was binding in that case alone, it nevertheless cut the props from under the repudiationists in their campaign of 1843, and left no attack upon the bonds except the flimsy one that they were not disposed of in the open market and that "the tottering bank was concealed in the purchase."⁹

At the April term, 1843, of the Supreme Court, the point raised by the repudiationists was again presented. This was in the famous Johnson case. The Court unanimously decided that the bonds were valid and that the Union Bank was a legal institution and the act authorizing the state to pledge its faith was constitutional and had been duly passed by two legislatures, strictly according to the fundamental law.

The Court was then composed of Smith, Fisher, and Yerger, judges of character and strength, and the opinion was delivered by the Chief Justice. In delivering his opinion, Chief Justice Smith said that, after the most careful consideration, the Court had arrived at the conclusion that the decree of the chancellor should

⁹ *Campbell vs. Union Bank*, 6 Howard, 625; *Lalor Cyclopædia*, III, 605; Hart, *Slavery and Abolition*, 308; Dodd, 64; Walthall, 9; Pollard, *Davis*, 22; Claiborne, 423; Shields, 327; Gordon, 41; Ridgeway, William, London, 3rd Edition, 1864, pamphlet; Van Horne, John Douglass, *Jefferson Davis and Repudiation in Mississippi*. Davis's defense is presented in this last pamphlet.

be affirmed and that the bonds were the valid obligation of the state. A petition to rehear was filed and argued, but the Court adhered to its former opinion. The judges had done their duty but they "laid their judicial career on the altar of their conscience."¹⁰

Though Jefferson Davis had been defeated by Prentiss, his friends were well pleased with the canvass. Unabashed, the young man had stood up against the mighty Whig orator and given a good account of himself. And of the campaign it must be said that it taught the youthful politician a needed lesson; he must get out of local politics and cast his net in deeper water. Moreover, he must leave his secluded island abode and mingle more freely with the people of Warren County and of central Mississippi. Vicksburg, the county seat of Warren, was only an hour's distance by boat from Brierfield; he must cultivate Vicksburg.

And a wonderful place Vicksburg was. Perched on lofty bluffs overlooking the winding Mississippi, capital of the rich and fertile county of Warren, the home of noted statesmen and men of affairs, Vicksburg would be ideal headquarters should he enter national politics. Dreams of a career took possession of the young man's mind and stirred his emotions. A seat in Congress, a Senator's robes,—why not the Presidency itself? Mississippi was perhaps the foremost state of the Far South, Warren County the center of political contests, as well as of hand-to-hand conflicts of a more personal nature; Vicksburg indeed was "the famous duelling ground of the state." With Vicksburg as a nucleus, therefore, Jefferson Davis's influence would radiate far and wide.

In those quiet formative days little did Jefferson Davis dream of the fate in store for his beloved Brierfield and for the doomed city of Vicksburg. Well was it indeed "for those who dwelt at ease in those pleasant places that no dream of the ghastly future came to disturb their gay prosperity; that none could foresee the anguish of their gallant struggle, the humiliation of defeat, the bitterness of poverty in chains, and a city in ruins, with her best and bravest offered up in vain."¹¹ Already these things were written in the book of fate, but the vision was sealed and no prophet arose to open it.

¹⁰ *Biographical History of Mississippi*, 128, 1891.

¹¹ Davis, R., 85.

And the sun shone and the land rejoiced and men and women walked lightly along the way appointed them.”¹²

With thoughts of honors to be won Jefferson Davis, in company with his brother Joseph, gave his spare moments to national politics. At this time the chief issue before the American people was the annexation of Texas. Having gained her independence in 1836 and become a republic, Texas was knocking for admission into the United States. But Mexico would not recognize the new republic and matters were at a standstill. In these circumstances what should the United States do: admit Texas or let that vast country be taken over by Great Britain and probably become a “free” state? Could a southern man hesitate? Davis reflected. Half a million square miles ready to fall into the lap of the United States for the asking—strengthening the cause of slavery and the South—and not eagerly accepted?

The Louisiana Purchase had proven a boomerang, as all of it north of 36° 30' had become free territory. The Free Soil party demanded this, the Missouri Compromise guaranteed it, and cowardly southern Whigs, as the Davis brothers charged, were now opposing annexation because, forsooth, it might stir up sectional strife and create further slavery friction.

The conservatism of southern Whigs and of weak-kneed Democrats disgusted the two stalwart Southerners. They opposed all compromise, stood for the sovereignty of the states, insisted on the inviolability of property in slaves under the Constitution, and resisted all encroachments upon the rights of the South. The enemy must be met on the frontier, and the sooner the better.¹³

Daily the two brothers witnessed the growth of the Northwest. Well they understood the danger to slavery unless a definite plan for its protection was adopted. A practical surveyor, Jefferson Davis knew the topography of the country from New Orleans to the Canadian border. He had often sailed the Mississippi. How much wider from east to west the northern border of the United States than the southern—the northern border three thousand miles across; the southern, a few hundred miles? Like a boy's top the United States spread wide above and narrow below. What an

¹² Twenty thousand Confederate soldiers were killed in and around Vicksburg and sixteen thousand Union soldiers lie buried in her soil.

¹³ Hodgson, 273.

advantage to the North and to the Free Soilers! Why not change this, annex Texas, tear from Mexico her choicest jewels, and capture Cuba? ¹⁴

Such was the dream of Jefferson Davis when he cut loose from local politics and entered the larger arena. And the times were propitious. In the Northwest he had many old army and Transylvania friends. At home Senator R. J. Walker was willing to groom him, and Walker was "the lion of Mississippi politics." ¹⁵ Cooperating with Walker were a group of fiery politicians and state rights Democrats but expansionists as well: H. A. Foote, J. A. Quitman, A. G. Brown, and Jacob Thompson. With these men Davis now allied himself. Though he was not in accord with them as to the next presidential candidate, on the issues of state rights, slavery, and expansion he was.

Shortly the Democratic party met in Jackson to elect delegates to a national convention. In a speech well prepared, well delivered, and well received, Jefferson Davis presented the name of his political idol, John C. Calhoun. As the Democrats present looked into the earnest face and heard the sincere, burning words of the rising young orator, they realized there was a new star in the firmament.

But R. J. Walker, wiser and more practical than Davis, opposed Calhoun and preferred another candidate. He wished a colorless man, one with a shorter record and fewer enemies. In the Convention Davis lost out and Calhoun failed to get the endorsement of Mississippi. The defeat of the great Nullifier was due in part to the fact that Walker was a candidate for Vice-President and two men from the South could not be placed on the same ticket.

The National Democratic Convention met in Baltimore on May 27, 1844, the leading candidates being Tyler, Buchanan, Pierce, and Van Buren. Benton had been mentioned for the place but he was not sound on the Texas question, a fact that disqualified him. Opposition to Texas was also the barrier in Van Buren's path and he was soon dropped. As for Calhoun, he had retired from the race soon after entering it. The curse of Old Hickory Jackson was upon him and, in Adams's quaint phrase, he was now but a drowning man.

¹⁴ Dodd, 100.

¹⁵ Vicksburg *Sentinel*, Feb. 1, 1845.

On the eighth ballot, James K. Polk, who had been a candidate for the humble place of Vice-President, was sprung upon the Convention as a dark horse—perhaps the first dark horse to enter a presidential race. Polk was sound on the annexation of Texas and was without a record, except as a partisan Democrat; he therefore attracted the votes of the delegates anxious to turn out the Whigs. Senator Walker, having combined with Pennsylvania, Tennessee, North Carolina and other states, enforced the two-thirds rule. Under this rule the leading candidates killed themselves off and Polk was nominated. George M. Dallas, Walker's brother-in-law, was nominated for Vice-President and Walker himself slated for a seat in the cabinet.

A spreadeagle platform was adopted. The British lion's tail was twisted, and "the re-annexation of Texas and the re-occupation of Oregon" soon filled the air. "Fifty-four forty or fight" was the slogan of the convention. This meant that Oregon was to be annexed and her bounds were to be extended so as to run four hundred miles across the Canadian border and into British territory! One plank of the platform indeed pledged the party that the Twin Sisters—Texas and Oregon—should be admitted into the Union hand in hand.

At the Mississippi state convention Jefferson Davis was made a district elector on the Polk and Dallas ticket, and canvassed the state with Foote, an elector at large. The canvass brought Davis much reputation. Great crowds came out to hear the speakers. The debate was sometimes joint, though generally *ex parte*. There were barbecues, cock-fights, brass bands, horse races, wild flights of oratory, fisticuffs, and much liquor.

No two public speakers were ever more unlike than Henry Stuart Foote and Jefferson Davis. Foote was a garrulous little man, coarse and unscrupulous in the use of offensive language, and his speeches were "as thickly studded with proverbial phrases, and as redundant with wild untrained metaphors as the luxuriant cane brakes." Davis, on the other hand, was composed and restrained. He spoke in a clear, well-modulated voice, never ranting or pawing the air, brooking no familiarity, indulging in no smutty stories or side-splitting anecdotes, and never making the welkin ring. Precise, formal, and dogmatic, Davis was not a typical southern

speaker, yet the people were captivated by his musical voice, military bearing, earnestness, and sincerity, and with the depth of his learning. In nothing did Foote and Davis resemble each other, save that each was always looking for trouble and each would fight at the drop of a hat.

Polk carried the state, but Foote and Davis were soon at daggers' points. Foote insisted that Colonel Glenn, a co-elect, be appointed to carry Mississippi's vote to Washington. Davis opposed Foote and defeated his candidate. From this time forth no love was lost between H. S. Foote and Jefferson Davis.¹⁶

In 1845 Davis was nominated for Congress, and as the vote was by the state at large and not by districts, he was elected without a canvass and almost without opposition. Now, during the presidential canvass of the previous year, he had overtaxed himself and contracted fever, as in 1836. The disease settled in his eyes, almost destroying one of them. Amaurosis, the doctor called the trouble; but neither amaurosis nor yellow Mississippi chills nor things above nor things below, could daunt the dauntless spirit of this man.

In December, 1845, Calhoun passed up the Mississippi and addressed the people at Vicksburg. Davis introduced him. To his wife as amanuensis he had dictated an ornate, flowery introduction. This he committed to memory and fired off in great style, to the delight of the unterrified democracy and to the joy of his young wife.

"How proud and happy I was," she writes. "Gazing in his face I felt like an inglorious Columbus who had discovered a new continent." In her excellent *Memoir* Mrs. Davis gives a picture of John C. Calhoun as he then appeared. "He looked out from bushy eyebrows that made his deep sockets look still more sunken; his language was plain to poverty. . . . There was neither trope nor simile—he seemed to be speaking to one man alone."

A great occasion it was for the Jefferson Davis family, who next day took the boat at Vicksburg to journey forth upon the vast, surging and troubled sea of national politics. They chose the northern route by way of Wheeling and Pittsburg. The weather being bitterly cold, the Ohio River was frozen, and three disagree-

¹⁶ Foote, *Bar of West*, 252.

able weeks were consumed in the journey. Mr. Davis's feet were nearly frozen, but at last they arrived at Washington City and took rooms at the National Hotel. They soon moved off the Avenue, however, to the Congressional mess of George W. Jones, and of the Mississippi senators and representatives.

CHAPTER V

CONGRESS AND CAMP

In their new home Congressman and Mrs. Davis lived modestly and without display. They kept neither coach nor horses, nor did they undertake an establishment of any kind. On the contrary they chose a near-in mess, where expenses were borne jointly by a dozen families and the meals served in a community dining room.

Despite these unostentatious surroundings, the Davises saw much of Washington society. Mrs. Davis fitted in well with the breezy Westerners. Her mother and Senator Walker's wife had been childhood chums. Mrs. Walker, a granddaughter of Benjamin Franklin, was a member of the well-known Bache family of Pennsylvania and a leader in the social circles of Washington. Robert C. Winthrop, the scholarly and aristocratic Whig member from Boston, was also drawn to the Davises on account of the first Mrs. Davis who, as we have seen, was a daughter of Zachary Taylor. No one was more beloved than "Old Rough and Ready," soon to become the Whig president.

Then there were the Ingersolls of Pennsylvania, George W. Jones of Iowa, and a handsome bachelor, James Buchanan, all on terms of intimacy with the new congressman's family. That these associations were rather with Northerners and Westerners than Southerners is quite natural, Mrs. Davis's people coming from New Jersey and Mr. Davis's college and army mates from the North and West and not from the South.

But Jefferson Davis was not now out for pleasure or social advancement. From the day of his arrival at the Capital he buckled down to the real work of serving the country according to his lights. Often he spent whole nights investigating historical and political problems, or poring over Congressional debates and other public documents. When his eyes flagged Mrs. Davis, who sacrificed herself to her husband's health and comfort, would read aloud to him.

Great issues agitated the country, and to keep abreast of the

times and stand up against the well-furnished debaters of the House was no easy job. The wonderfully acute ex-President, John Quincy Adams, with his interminable petitions against slavery, must be watched; and Giddings, the plain-spoken Ohio abolitionist; and Hannibal Hamlin, later Lincoln's Vice-President; and the wiry audacious "Little Giant," Stephen A. Douglas.

Among southern members of Congress Davis considered Andrew Johnson, the Tennessee tailor, both a demagogue and a renegade to the South. Yancey and Rhett, the southern hotspurs, he knew were right on the great issue of slavery and state rights, but precipitate in urging secession before the South had become solid. Union Whigs, John Bell of Tennessee, Badger of North Carolina, and Toombs of Georgia, were but timid submissionists. Jefferson Davis had no objection to the "Confederation of States," but this must not be at the expense of slavery, state sovereignty, and secession if necessary. His association at this time was more with Secretary of State Calhoun than any other person. Calhoun, he considered "the wisest man he ever knew, though he did not agree with Calhoun's Nullification doctrine."¹

In 1820 when Secretary of War under Monroe, Calhoun had given his opinion that the Missouri Compromise was constitutional and Congress had the right to legislate slavery out of the Louisiana Territory and exclude it wholly north of 36° 30'. And this Congress had done. But Calhoun had now changed his mind, no doubt influenced by the *Virginia Debates of 1832*, prepared by Thomas R. Dew, professor of Political Economy in William and Mary College. "Slavery was the cause of civilization," Dew taught, "and the sole cause."²

Hatred of the great Unionist, Andrew Jackson, was also a cause that moved Calhoun from nationalism to state rights. The growth of abolitionism in the North and the decline of that sentiment in the South must have had weight with Calhoun, as did the dominance of King Cotton. Cotton had become a world power, and the crop had multiplied a hundred-fold since the invention of the cotton gin. The demand for slave labor had likewise increased and the price of a prime slave had risen to a thousand dollars.

Calhoun's change of front is set forth in a series of resolutions

¹ *Great Political Debates*, XXI, 123.

² Christy, 551.

offered in the Senate December 27, 1837. These resolutions declared that there should be no interference with slavery by Congress and no discrimination against slavery, or, as Calhoun afterwards put it, "the whole land must be slave."³ "Abolish slavery," he indignantly exclaimed. "Why, Sirs, slavery has grown with our growth, strengthened with our strength and no other system can be substituted. We will not, cannot permit it to be destroyed." "How," he asked, "can there be two sovereignties—a state and a national? As the state was sovereign before the United States, and has not parted with its sovereignty, the state is supreme, and not the United States."⁴

Such were the teachings of Calhoun imbibed by Davis, his apt and aggressive young friend. And these views had spread like wildfire through South Carolina, Mississippi, and other far southern states. "The Spirit of '76" was gone. Slavery, slavery, slavery! This was the triumphant cry, and more slave territory the demand. By correspondence and by pamphlet, by press and word of mouth, leaders like Calhoun and Davis were preaching state sovereignty and property rights in slavery and urging the South to organize and meet the enemies of the South at the threshold.⁵

But like most men of one idea, Calhoun and Davis had a fatal delusion. They imagined that free speech and the right of petition could be suppressed. This Calhoun had been attempting for a dozen years. In 1836 when abolition petitions had been submitted to Congress, he was dumbfounded. "This Union must go," he declared, "unless discussion stops." For presenting such petitions Adams and Giddings had been rebuked and threatened with personal violence. What is known as Rule 21, or the Gag Rule, had been adopted by the House. Abolition petitions would be received but go on the table automatically and without debate. Each second year for nearly a decade this absurd rule was re-adopted, with the result that from 1835 to 1844 more time was given to the discussion of abolition petitions than to any other subject. This policy naturally defeated itself, provoked greater discussion, and broadcast, from Lakes to Gulf, the folly and evils of slavery. The Gag Rule had become a boomerang and was repealed in 1844.

³ Letter to W. R. King of August 12, 1844.

⁴ Merriam, 328.

⁵ Brown, 107.

If one were asked to fix the precise period of time when southern decadence began, he would have to name the 1830's and 1840's. It was then slavery ceased to be a necessary evil or a temporary expedient and became a permanent institution.⁶ And this condition was brought about largely by the leaders of the Democratic party. These men placed slavery above the United States mails, above the Constitution, above the Union, and they taught that slavery, the peculiar institution as it was called, was a sound, economic doctrine. "God forbid," said Governor McDuffie, "that my descendants should live in any community without slavery." A long step and a fatal one since 1776 and the days of Washington, when slavery was considered an evil to be done away with as soon as possible.

A contributing cause of the mental change of North and South toward slavery was undoubtedly commercial. The cold northern climate was unsuited to slavery, and slaves there were soon sold to southern planters.⁷ The warm South, however, was a slave heaven, and the "nigger and the mule" the groundwork of southern prosperity. Somewhat earlier the cotton gin had been perfected and large crops were raised at good prices. Cotton-growing was so profitable that it was running out infant factories and fixing the South as a slave land. Cotton was likewise dominating England and the world; and in the wake of King Cotton slavery obediently trailed.⁸

The chief matter engrossing Calhoun and Davis at the moment, therefore, was the strengthening of slavery by annexing Texas and the creating of more slave territory.¹⁰ Originally an expansionist, a protectionist, and the champion of a western alliance, Calhoun would still have advocated this course provided the West had acknowledged the legality and morality of slavery. In these views the imperialistic Davis concurred, but he went much further. He would not only annex Texas, he would acquire Cuba and overrun

⁶ Fish, 284.

⁷ Francis Lieber removed from South Carolina because of hatred of slavery but sold his slaves at the highest market price when departing! Joseph Barnwell gave me this incident.

⁸ In 1800 less than 100,000 bales of cotton were raised, in 1835 nearly 1,000,000 bales, and in 1846 nearly 2,000,000 bales.⁹

⁹ Scherer, 235.

¹⁰ Dodd, 101.

the whole of Mexico, making as much territory in the South as in the North. He likewise favored a Mexican war to free Texas, though Calhoun did not. A big country had no terrors for Jefferson Davis, the bigger the better, provided state rights and slavery were safeguarded. "Patriotism is unlike gravity," said Congressman Davis. "It increases with the distance from the center and I find no truer patriots than the men of the Northwest and of the far South."

The first resolution offered by Davis was essentially nationalistic and opposed to state rights. He proposed that United States forts and barracks be converted into military schools and camps where young officers should be fitted to command an efficient standing army. That is, he wished to establish numerous West Points throughout the land.

The cause of the foreigner the young Congressman likewise espoused, urging that he be not excluded from free America. Criticising the native American party, whose chief plank was opposition to foreigners, Davis lost his poise. "I have an utter detestation," he exclaimed, "for the Native American party and for its sordid character and arrogant assumption."

Presently the two great issues of the last campaign, what to do with Texas and what to do with Oregon, came up. On these issues the Democrats had swept the country and Polk had been elected. "Re-annex Texas and re-occupy Oregon," had been the Democratic slogan. Texas was to be re-annexed, as she was once within the Louisiana Purchase and a part of the United States. She had been incautiously ceded to Spain when Florida was purchased in 1819. Oregon was to be re-occupied because the United States had occupied that land before the British did and also owned it by discovery. It will be remembered that since 1818 the United States and England had occupied Oregon under a joint agreement; and that each, thereby, recognized the rights of the other in some portion of Oregon. Regardless of this fact the Democratic party contended that the United States owned the whole of Oregon, and that England was an intruder.

In 1844 Tyler, through Calhoun, his Secretary of State, had hurriedly negotiated a treaty to annex Texas, but the Senate had failed to ratify it. Explaining his hasty action in this matter, Calhoun contended that England had covetous eyes on Texas and Cali-

fornia, and was about to annex Texas herself. England "had it in" for the United States and was going to annex Texas in order to make it "free" territory and thereby destroy slavery in the South. She would destroy the South and in so doing destroy the entire United States besides! Calhoun's real reason for annexing Texas was to give the South the balance of power.¹¹

The failure of the Senate to ratify Tyler's action threw fiery Southerners into a commotion. Congressman Holmes of South Carolina asserted that a crisis had arisen and must be met. "Texas is the stake," Holmes shouted, "and here we stand and breast us to the storm!" This challenge, the Northwest, through Dargan of Ohio, accepted. "Truly there is a crisis," said Dargan, "but Oregon, not Texas, is the stake, and here we stand and breast us to the storm."

Now on both of these issues Davis stood with the extreme South—for Texas and against Oregon. His first set speech was on President Polk's inaugural and the Oregon question. Here, as later, his approach was characteristic. He opened by defying public opinion and denouncing the demagogue as a fellow not brave enough to withstand false clamor; he then called upon the people to do right and not to be rushed into war with England. Having uttered these brave words, he proceeded to vote against Oregon but in favor of Texas. In a word, he was willing to fight an unjust war for slave territory, but unwilling to fight an unjust war for free territory. And Davis's argument was a strong one. Both measures, the annexation of Texas and the occupation of Oregon, could not be put through at the same time. If undertaken, England and Mexico would combine against the United States. Thereby Texas, as well as California and Oregon, would be lost, and the country would have no seaport on the west.

Now it must be said that the last national campaign had alarmed Jefferson Davis. In that fight the Liberty party had taken a hand, advocating the doctrine of abolition and the exclusion of slavery from the territories. But for this party, Polk would have been defeated for President and Henry Clay elected. Had not J. G. Birney, the candidate of the Liberty party, taken from Clay the vote of New York, the Whigs would have carried

¹¹ Fish, 296.

that state and defeated the Democrats. And the one issue on which Birney had run was, "No fellowship with slaveholders."

Surely it was time for the South to bestir herself, or the Free Soilers would overwhelm her. And the way out, as Davis saw it, was to annex Texas and let Oregon wait. That any one should oppose the annexation of Texas was incomprehensible to him. Was it not the manifest destiny of America to extend herself to the Pacific? With the recognition of the right of property in slaves and the acquisition of Texas and California, would not the United States become an invincible Confederacy?

In January, 1845, a joint resolution passed both houses. It provided for annexation on condition that the State of Texas should adopt a republican constitution and submit it to Congress before January 1, 1846; that boundary disputes should be settled by the United States; that all public property be ceded to the United States; and that four states in number, besides Texas, might be formed. It was also provided that any state south of $36^{\circ} 30'$ should be slave or free as the people decided, but north of that line slavery should be forbidden. This last provision it is well to bear in mind, as it recognizes the old Missouri Compromise line of $36^{\circ} 30'$.

After an amendment to the joint resolution by Senator Walker, that Texas might be admitted by direct agreement, the measure passed Congress March 1, 1845, by a vote of 131 to 76. A resolution required a majority, but a formal treaty required two-thirds only. Forthwith, Tyler signed the resolution and on March 3 a special messenger was off for Texas to close the deal. On March 4 Polk was inaugurated and in a ringing address stood flatfooted on the Democratic platform: all of Texas and $54^{\circ} 40'$ or fight. From his Oregon position, however, the President soon backed down, and in the month of June, 1846, accepted England's former offer of 49° instead of $54^{\circ} 40'$, as the northern boundary of Oregon.

President Jones of the Texas republic submitted the matter of annexation to a convention to be called July 4, 1845. The Texas convention met on that date, accepted the offer of the United States, and formed a constitution which was ratified in October. Meanwhile the United States had sent troops to Vera Cruz to protect the Texas border.

From the beginning President Polk had attempted to purchase California from Mexico but had failed. He had also failed in

effecting a settlement of long outstanding claims of Americans against Mexico; these amounted to about three million dollars. These two questions made the Texas situation more acute, as did the fear that Texas, if not immediately annexed, might become a part of England and a free republic, menacing slavery in the South. In a word, the annexation of Texas was inevitable and so was a war with Mexico.

General Zachary Taylor was ordered to move from New Orleans to the defense of Texas and to occupy the whole of it to the very banks of the Rio Grande. Such were the bounds of Texas as claimed by that Republic and such claim America proposed to make good. If, therefore, the Mexican army should cross the river, they would be invading United States territory. On April 24, 1845, Mexico directed her army to cross the Rio Grande and march to the Nueces River. War was on at once and Jefferson Davis was well satisfied. His opportunity had come. Fame and glory awaited him in his chosen field as a military leader. Additional territory for slavery and for the South spurred him on.

Forthwith he resigned his seat in Congress and in company with his wife set out for Mississippi, where he had been unanimously elected Colonel of the First Mississippi Rifles. On the way down the river he stopped off at Hurricane, Mrs. Davis going on to Briars to remain with her father. While at Hurricane Colonel Davis put his farm in order, leaving his faithful slave, Jim Pemberton, in charge. His brother Joseph supplied him with a fine bay horse named Richard, and also with an efficient body-servant. The brothers consulted on another important matter. Should Jefferson execute a will?

Joseph suggested that the dangers of war necessitated the making of a will. The point then arose as to the beneficiaries under the instrument. Should Mrs. Jefferson Davis be given her husband's entire estate, or should his dependent sisters receive an equal share with her? Now Joseph had never made a deed to Jefferson for Brierfield plantation; he therefore insisted that the sisters should share equally with the wife. Joseph prevailed.

In due form Jefferson Davis executed his will and divided his estate, Brierfield included, equally among wife and sisters. When Mrs. Jefferson Davis got wind of this affair she was an indignant woman; her feelings were so much aroused she never forgave her

brother-in-law. Twenty-five years later she made oath to this effect. The incident is noteworthy for another reason: Mrs. Davis's quarrel was taken up by her husband and the two brothers parted company never to be completely reconciled.¹²

After setting his affairs in order and executing his will, Colonel Davis set out from Hurricane and joined his regiment in New Orleans. Early in August the Colonel and his troops arrived at Point Isabel, and here for several weeks the raw soldiers were drilled and whipped into shape. Composed of the picked men of the State, planters and sons of planters, brave dare-devil fellows, used to the saddle, owning their own horses, attended by their own body-servants, the First Mississippi Rifles were a crack regiment.

In Mexico, however, at this season the climate was bad, one day the hot sun overcoming the troops, and the next a raw northeastern wind driving the sand into their faces. But nothing daunted, the gallant Colonel, saturated with the West Point spirit and with the value of drill and military training, was often more severe than his subordinates appreciated. On one occasion Colonel Davis spoke so curtly to one of his high-spirited captains, Shields of Virginia, as to wound his feelings. A challenge followed and a demand for satisfaction. But the challenge was withdrawn, it being a breach of military discipline for an inferior officer to challenge his superior. The difficulty was composed by friends.¹³

In September, Colonel Davis and his regiment reached General Zachary Taylor's headquarters not far from Monterey, and were put under Brigadier General Quitman, the Colonel's life-long friend. General Taylor and his son-in-law, having been reconciled, met on friendly terms and worked together in harmony. Taylor's Army of Occupation consisted of only 6,000 troops, whereas the forces of the Mexican General Ampudás numbered 10,000. Taylor's immediate objective was Monterey, a town of 12,000, on the banks of the San Juan River.

After gallant fighting by the Americans, the defenses of Monterey, one after another, were taken. The river was crossed and the steep hill scaled with a rush. Ampudás's supplies were cut off, but Monterey still held out. On the morning of the 23rd, Colonel

¹² *Davis vs. Bowmar.*

¹³ This incident furnished the author by LeGrand Tibbits, a New York State senator.

Davis was ordered to advance and capture the city. Forward the First Mississippi Rifles moved, sustained by troops from the Northwest. The order was executed with gallantry and success, Colonel Davis leading his men and frequently courting danger. One building after another was captured and used as a barricade.¹⁴ Leaping over walls, crossing on the roofs of houses, dashing from street to street, the troops moved forward until within a block of the Grand Plaza, where the main body of the Mexican army had made its final stand. At this juncture, General Ampudás asked for terms, and on the 24th the American flag was floating over Monterey.¹⁵

General Taylor granted an armistice of eight weeks, but this was repudiated by President Polk and Secretary Walker. The truce was therefore broken off and fighting was resumed. General Taylor's success had alarmed the Democratic administration. If "Old Rough and Ready's" triumphant march continued, and he overpowered Mexico, he would undoubtedly be the national hero, and the next President. This was not to be thought of. Taylor was therefore stripped of his veteran troops, and General Winfield Scott was moved forward into the spotlight and directed to capture Vera Cruz.

Unfortunately, this action of the United States came to the ears of General Santa Anna, and he made preparations to attack Taylor's weakened army. Outraged and mortified by the unprecedented course which the Government had adopted, Taylor nevertheless prepared for the attack. With five thousand troops all told, he advanced to Saltillo, thence pushed on to Agua Nueva, and finally fell back to the pass of Angostura, a narrow mountain defile in front of the Hacienda of Buena Vista. Here with his back to the wall, Taylor awaited the coming of Santa Anna and his army. And, on Washington's birthday, they came, twenty thousand strong. Attacking Taylor's left they routed and put to flight a volunteer regiment. Victory seemed to be in Santa Anna's grasp.

At this critical moment, Colonel Davis and his Rifles were ordered to charge, and gallantly obeyed. Coming up the plateau, they formed a right angle with May's dragoons, creating a new line with right angles to the first. From every point the Mexicans

¹⁴ Davis, R., 352.

¹⁵ McMaster, VII, 454.

moved to a new attack, sweeping down on Davis and Lane, rolling along the mountain face, covering the plateaus, and filling the ravines. Victory was almost within their grasp. But the batteries under Sherman, Thomas, Reynolds, Bragg, and Kilburn opened fire. The Mexican line was cut to pieces. The infantry under Davis poured in a deadly fire, and the Mexican column was broken and fell back.

But now a larger body of the enemy appeared; these too were routed. Four Mexican officers with a white flag soon galloped toward the American line, but this ruse was discovered and fighting was resumed. Presently more Mexican troops attacked and the Americans were fleeing down the ravine. But the regiments of Davis and Lane and the batteries of Bragg and Sherman were hastening to their aid. Captain Bragg reached the plateau just as O'Brien's guns were taken, and opened on the Mexicans. At the first discharge they halted. A second volley threw them into confusion; and now, attacked on the flank by Davis and Lane and cut down by the canister of Bragg and Sherman, they fell back and the battle of Buena Vista was won.

Sword in hand, Davis had led his men and won a fame second only to General Taylor's. But a musket ball entered his right foot just below the instep, carrying portions of his spur into the flesh. His boot filled with blood and the pain was intense, but the Colonel, astride his staunch bay, Richard, had continued to direct the fight. In conjunction with an Indiana regiment, his own had formed and executed the well known movement called the "V" manoeuvre with which his name has ever since been connected. Words of praise from his commander followed. "Colonel Davis's distinguished coolness and gallantry and the heavy loss of his regiment entitle him to the particular notice of the Government," General Taylor reported. Davis's volunteers were called regular veterans. After the battle of Buena Vista, Scott superseded Taylor in command of the American forces, and General Taylor could only wait along the Rio Grande and watch the progress of events.

Colonel Davis's work was now done and the year of enlistment had nearly ended. He therefore gathered the remnant of his regiment, and on May 29 set sail for New Orleans where he landed June 9. Hospitably the Crescent City received the Colonel. Royal was his welcome, the enthusiasm boundless. Crowds filled Canal

Street, flags were waved, flowers from the balconies fluttered through the air.

The noble Colonel, wounded and on crutches, was the center of all eyes. Sergeant S. Prentiss gave expression to a nation's gratitude. The lion-hearted Davis, the gallant Mississippi Rifles forever! Honors followed honors. Almost immediately Colonel Davis was named by President Polk Brigadier General of Volunteers. He declined the honor. He did not think the Executive had the power to make such an appointment; that was for Congress.

At Natchez and Vicksburg scenes similar to those at New Orleans took place: Jefferson Davis, pale, emaciated, and on crutches, was the idol of Mississippi.

All classes and all parties, Whigs and Democrats alike, did him honor. In less than sixty days, Governor A. G. Brown appointed him to the United States Senate. Thus did fate claim the gallant young Colonel as a hero, crowning his head with the laurel.

But with these honors had come the domestic tragedy of which I have spoken, a breach between the two brothers. Jefferson Davis had scaled the heights. In twelve months he had become Congressman, Colonel, Brigadier General, and Senator; but he had also lost his strongest support, his brother Joseph. "In 1861," said Mrs. Davis, under the sanction of an oath, "my husband forgave his brother Joseph—I never did."¹⁶

¹⁶ 55 Miss. Reps. 730.

CHAPTER VI

STORM SIGNALS

When the Thirtieth Congress met December 6, 1847, Senator Davis and wife were on hand, having engaged quarters at Mrs. Owner's boarding house. Here western and southern members held out, including Howell Cobb of Georgia and Senator Foote, Davis's colleague.

Why Foote and Davis, rivals and incompatible, should have elected to live together under the same roof is a puzzle. One difficulty was already to their credit and another was sure to follow. The cause of the bout of fisticuffs staged on Christmas Day, 1847, by the two Mississippi senators is said by Reuben Davis to have been the secession of Mississippi, but it must have also been a growing jealousy. The affair was hushed up at the time and by consent smothered till the summer of 1874. Davis then requested his friend, ex-Congressman A. W. Venable, to tell what he remembered of the difficulty.¹

Venable said he well remembered the affray and that it took place on Christmas Day just after breakfast, when several of the members, Foote and Davis included, had retired to Mrs. Owner's sitting room. "When I went in the room," Venable wrote, "there was some restraint on the company, and I was informed a personal difficulty had occurred between Davis and Foote, blows had passed, and the parties had been separated." Shortly afterwards the Davises changed their headquarters, joining Senator Toombs, Governor McWillie of Mississippi, and others in a house next to the Union Hotel where meals were furnished.

Colonel Davis was cordially received in Washington. Proud and self-centered, almost in a state of exhaustion from his recent wounds, the emaciated man got around on crutches; he was the most colorful of the new members, John P. Hale of New Hampshire and Stephen A. Douglas perhaps excepted. Hale, genial,

¹ Letter in Confederate Museum at Richmond, dated August 8, 1874.

witty, a thorn in the flesh of slave owners, was a died-in-the-wool Free Soiler. Douglas, the swarthy Little Giant from the West, shifty, unscrupulous, quick-witted, overwhelming in popular appeal, was a man of inexhaustible resource, and, next to Clay, America's greatest parliamentary leader.

Senator Davis was placed on the two committees he most desired—Military Affairs and Pensions. He was also named one of the Regents of the Smithsonian Institution and a member of the Library Committee, becoming a useful and influential factor in developing these institutions.

Since June, 1846, when he resigned and went to war, a matter had come up in Congress that greatly angered him. At the very time he was down in Mexico with his Mississippi Rifles preparing to march on Monterey, risking his life in his country's cause, Congress was laying plans to "cheat the South out of the fruits of her victory."² A bill placing two million dollars in President Polk's hands to be used in making peace, which meant the purchase of Mexican territory, had been offered in the House, when David Wilmot, a Pennsylvania Democrat, handicapped it with a proviso, which, by the way, fourteen northern states endorsed before the year 1849. None of the territory to be acquired of Mexico should ever be open to slavery, the Wilmot Proviso declared.

And this measure actually passed the House by a vote of eighty-five to eighty, and would have got through the Senate, before adjournment at twelve noon, August 10, 1846, but for Senator John Davis of Massachusetts. In his zeal for the bill the Massachusetts senator talked it to death, the clock striking twelve while he was still on his feet. From this time till the Civil War the Wilmot Proviso in varying form overshadowed the land and like a spectre haunted both political parties, finally causing the disruption of the Union.³

Nothing better shows the change of view of southern leaders on slavery than their attitude in 1848 on the Wilmot Proviso. The Ordinance of 1787, prepared by Thomas Jefferson, father of the Democratic party, making the Northwest Territory free, was adopted almost unanimously by the Continental Congress, but when the Wilmot Proviso, identical with the Ordinance, came

² *The Globe*, Feb. 14, 1850.

³ Benton, II, 695; *Division and Reunion*, 155; Wilson, W., N. Y., 1912.

before Congress in the 1840's, it threw the Democratic party into a rage. The Ordinance of 1787 Webster declared was one of the wisest measures of all time; of the Wilmot Proviso Senator Benton asserted it was "the Gorgon's head and a chimera dire."

By the Missouri Compromise of 1820, as will be remembered, all of the Louisiana Purchase—at present twelve immense states—north of 36° 30', Missouri excepted, had been dedicated to freedom. The United States at that time did not own California, Utah, or New Mexico, and this territory when acquired the Wilmot Proviso would likewise make free. In a word, no more slave territory was to be annexed to the United States. Davis was amazed, dumbfounded.

Such action would be violative of the Constitution and of the spirit of the Missouri Compromise; it would prevent southern slave owners from carrying their slaves into territory owned jointly by all the states, won by the blood of the South and West and not by the North. It discriminated against the South and was sectional. But above all, it was an indignity which no brave man should submit to.

To meet the Free Soil party, a State Rights party must be organized. In one thing at least Yancey of Alabama and Rhett of South Carolina were right, the enemy must be met at the gate, the South must organize and present a solid front.⁴ A convention should be called, an ultimatum promulgated, an ultimatum which flouted by the North would mean secession. The Wilmot Proviso must be defeated, a southern program arranged, a fixed immutable principle laid down, an unchangeable law guaranteeing the rights of slavery for all time.

That the South was entitled to occupy the common territory with slaves was to Davis too plain for argument. In three separate places the Constitution recognized this right.⁵ But Davis would be magnanimous, he would not claim all of the new territory for slavery, he would meet the North half way and divide it. North of 36° 30' might be free, but south of that line all territory, including future acquisitions, should be slave. This was Jefferson Davis's ultimatum, his irreducible minimum, and in different shapes he

⁴ Robert Barnwell Rhett was the head and front of the secession movement. Eckenrode, 56.

⁵ Art. I, Sec. 2; do, Sec. 9; Art. IV, Sec. 1.

presented it, as a proviso, as an amendment, and as a compromise, until the end. The heart of the ultimatum, it must be remembered, was the provision that all territory south of $36^{\circ} 30'$, *whether then owned or thereafter acquired*, should likewise be slave.

Now Jefferson Davis knew exactly what he was about; he was no dreamer, no doctrinaire, as Calhoun was. He split no hairs in this slavery business. Could he but establish the principle that all territory south of the above line should be slave he would outwit the abolitionists. He would overrun Mexico, capture Cuba, Yucatan and other Central American countries, and make slave states of them, thereby establishing a permanent equilibrium between North and South.⁶

And this vast slave empire-making project Davis imagined not at all difficult: the South and West combined could carry it out despite the North. But the South must be solidified and the West conciliated. In the South there were traitors to the cause of state rights and to slavery. "Recreants," Davis called them—Bell, Houston, Benton, Downs of Louisiana, Badger, Andrew Johnson, Clay, and even Zachary Taylor. These men must be exposed and removed from office.

There was also work to be done in the North where there were northern men with southern principles: Cass, Cushing, Dickinson of New York, Pierce, Buchanan. These must be recognized and given high place.

This combination of South and West would overwhelm the fanatics, put the Free Soil party out of business, preserve the Constitution and the Union, nationalize the country and extend her boundaries from ocean to ocean. If the cold, commercial North was so short-sighted as to struggle along without slavery that was its business and not his. As for the fanatical abolitionists, a set of "infidels, free-thinkers, women suffragists and faddists generally," their attack upon slavery was beneath contempt. What better guide than the Bible and the Constitution, each justifying the South on this great issue?⁷

And a good nucleus Jefferson Davis imagined he had for solidifying the South. Alabama was largely dominated by the restless

⁶ *American Historical Review*, V, 491.

⁷ Speech of July 12, 1848.

Yancey;⁸ Mississippi was neck and neck with Alabama; and South Carolina saturated in the teaching of Calhoun and the more advanced doctrines of Rhett and the Charleston *Mercury*. At that moment Davis's friend Quitman, with Secretary Walker and Congressman Thompson, were urging President Polk to annex the whole of Mexico.⁹

In the early part of the session Cass, Chairman of the Committee on Foreign Relations, had reported a bill providing for ten regiments to prosecute the war with Mexico, a measure which Davis enthusiastically supported.¹⁰

In its advocacy Colonel Davis ran true to form, and exhibited his love of caste. "The man who enters the regular army," said he, "comes from a lower class of the community than the volunteer, he is willing to be ordered around, driven and kicked about, and is unaccustomed to personal refinement; whereas the high spirited citizen soldier goes to war for battle; he is alert, active, restless, and not accustomed to drudgery."¹¹

This sentiment of Senator Davis was of a piece with the views of Congressman Davis two years before, when discussing a bill for the maintenance of West Point and to increase the pay of civil engineers and other officials. "Could you," then exclaimed Congressman Davis, "expect a common blacksmith or a tailor to have done the delicate engineering work necessary to reduce the bastioned heights of Matamoras?" Now it so happened that there was a well-known blacksmith, Sawyer of Ohio, and a well-known tailor, Andrew Johnson of Tennessee, paying attention to the Mississippi Congressman and their emotions were stirred. Each replied—Johnson's answer being caustic and ridiculous. After calling the names of tailors known to history he turned on Davis and pronounced him "a cheap scrub aristocrat!"

The Ten Regiment bill passed the Senate early in 1848 but before it came up in the House the war with Mexico had ended, Scott had captured the ancient capitol of the Montezumas, Frémont overrun California, and Kearney, New Mexico. The treaty of Guadalupe Hidalgo followed on February 2, 1848. The United

⁸ Brown, 116.

⁹ Secretary Walker was squarely for all of Mexico. *American Historical Review*, *supra*.

¹⁰ 30th Congress, 1st Sess., Jan. 5, 1848.

¹¹ Dodd, 98; some Englishmen still have Davis's view, Hollis, 212.

States had wrung from impoverished Mexico more than half her territory, about 600,000 square miles. Old Glory now floated from Sandy Hook to the Golden Gate. And strangely enough all territory so far acquired by the United States, five times greater than the thirteen original states, had been annexed under the Democratic party, which taught that the whole business of annexing territory was unconstitutional.¹²

In April, 1848, a bold attempt was made to liberate certain slaves in the District of Columbia. Unknown parties stealing into Washington kidnapped and carried off in the schooner *Pearl* some eighty negroes. The vessel was captured and brought back to port. Next morning the *National Era*, the organ of the Abolition party, espoused the cause of the kidnappers and justified their action in the name of freedom. Thereupon angry and riotous citizens met, denounced the paper, served notice that it must shut up shop, and made an attack upon its building.

The affair created a commotion in Washington and moved Senator Hale to offer a resolution for the protection of property in the District. In an instant the Senate was in an uproar. A violent debate ensued, Calhoun blowing the initial blast. "I charge," said he, "that this is a masked attack on the great institution of the South, upon which not only its property but its very existence depends."¹³ Davis followed.

"On this ground," he exclaimed, with flashing eye and tense nerves, but with outward coolness and deliberation, "we will shed our blood. . . . This question is not debatable, it is final. . . . Let the conflict come, here in this Senate chamber let it come, and the sooner the better. This Senate chamber is the theater, and I, Sir, am ready."¹⁴

Senator Foote next got the floor and out-Heroded Herod, thereby acquiring the nickname, "Hangman Foote." "This kidnapping business," he screamed, "I lay at the door of the Senator from New Hampshire; he is the guilty party, and let him but put foot in

¹² The Louisiana Purchase under Thomas Jefferson in 1803; Florida under Monroe in 1819; Texas under Polk in 1846; California and adjoining territory under Polk in 1848; part of Arizona and of New Mexico—the Gadsden Purchase—under Pierce in 1853.

¹³ *Globe*, 500, 30th Congress.

¹⁴ I give the substance of these debates, using the language employed, however.

Mississippi and we'll hang him to the first limb!" Though Douglas interrupted and begged Foote to withdraw these words, they were not withdrawn. "Your language," said Douglas, "is worth ten thousand votes to Hale and the abolitionists."

While serving as Senator, Colonel Davis often exhibited a phase of character, which his wife and he himself deplored. He ceased to exercise his reasoning faculties, ascribed sinister motives to his opponents, and ran into personalities. Outwardly cool and collected, inwardly he was often in a state of nervous excitement. "If any one differs with Mr. Davis," said his wife, "he resents it and ascribes the difference to the perversity of his opponent." Or as Davis described himself, just after his duel with Benjamin was called off, "I have an infirmity of which I am heartily ashamed: when I am aroused in a matter, I lose control of my feelings and become personal."

The truth of this statement is illustrated in an affair with W. H. Bissell, afterwards Governor of Illinois.¹⁵ Bissell, just out of the Mexican War with the title of Colonel, was serving his first term in Congress and had grown tired of the undue praise of Davis's Mississippi Rifles. During the debates on the Mexican War, Colonel Bissell therefore gave expression to his feelings. In a speech of power he attacked slavery from every angle and vigorously denied the claim of Colonel Davis's admirers that the day was won at Buena Vista by the Mississippi Rifles.

"Why," said Bissell, "when the battle of Buena Vista was raging and at the critical moment the Mississippi Rifles were a mile and a half away. . . . Moreover, sirs, the State of Illinois sent nine full regiments to the war, though only four were demanded, and if it becomes necessary to put down secession and rebellion she will furnish four times nine regiments!"

Truly Bissell had exploded a bombshell, insulted the intrepid Davis, outraged the entire South. The insult could be wiped out only with blood. Coerce a sovereign state—perish the thought! In a haughty note Colonel Davis demanded of Colonel Bissell if he was correctly reported in the morning paper. Colonel Bissell replied that he was, but added he intended no reflection on the bravery of Colonel Davis or his regiment. This reply was unsatis-

¹⁵ *Globe*, 227; Feb. 21, 1850.

factory. It was equivocal, and Colonel Bissell must accord to Colonel Davis the usual satisfaction between gentlemen.¹⁶

Bissell, being the challenged party, had the choice of weapons and of time and place. He chose muskets loaded with ball and buckshots at fifteen paces, executed his will and named the next day in the forenoon. Major Cross of the United States Army was Bissell's second; Inge of Alabama, Davis's. During the intervening night Congressman Dawson of Georgia and Major Rich of Illinois interposed and effected a settlement. All notes were withdrawn except Davis's first inquiry and Bissell's reply, Bissell explaining that he was speaking of one point in the battle and Davis of another.

In the entire nation Jefferson Davis's place was now unique—no one thought or acted precisely as he did. As a rule southern Democrats were contemptuous of northern people, dubbing them Yankees and turning up their noses at them. This was not now Davis's attitude. He was conciliatory to the North, except when slavery was under discussion.¹⁷ Again some secessionists, Yancey and Rhett in particular, were advocating an immediate severance of the Union. Davis opposed this plan; he was willing to give the North a chance to extend slavery and thereby obey the Constitution. So also men such as Toombs and Stevens voted against a strong standing army; Davis was its champion.

In a word Jefferson Davis was a paradox. A neurasthenic and a semi-invalid, one eye gone, he was nevertheless a fighter; a nationalist, he was the champion of state rights; the apostle of liberty, he advocated slavery; a Democrat, he aspired to aristocracy; professing great love for the Union, he was about to pursue a course which would destroy it.

A strong navy, extensive canals and rivers, deep, serviceable, magnificent ports, transcontinental railroads for war purposes, these accompaniments of a mighty nation he stood for. And these would be the destruction of state rights. Well paid and competent public officials, surroundings of beauty for the Capitol, spacious public buildings, the Smithsonian Institution, war colleges, and other accessories of nationality, all appealed to him.

Now in this course Jefferson Davis was not untrue to his natural

¹⁶ *Lakeside Magazine*, VI, 43.

¹⁷ *Encyclopædia Britannica*, 14th Edition, New York, "Jefferson Davis."

impulses, though undoubtedly there was a measure of policy in his conduct. He imagined his conciliatory course would win the West and soften the North.¹⁸ He had deceived himself into believing that the clock of time had been turned back, that slavery could exist in the heart of America in the middle of the nineteenth century, and that the Union and slavery could march hand in hand. He looked forward to the day when the Democratic or State Rights party, under the leadership of Calhoun and himself, would dominate the country's slavery policy. To a united South and to the northern Democracy he appealed to destroy the timid Whig party with its Wilmot Proviso heresy and to bury the abolitionists beyond resurrection.

If the northern states would but obey the Constitution, open up the new territory to slavery, return fugitive slaves, no senator would go further than he to make the North greater and still greater. And why should not the North sanction slavery? It cared nought for the negro. Did not Ohio, Indiana, and Illinois despise the free negro? They actually expelled him from their midst by statute and refused him admission to their borders.¹⁹ A people which enacted such laws cared nothing for the black man. They were in fact busy-bodies, insulting, crowing over, and bullying the South.

Slavery! It was a social, a local question, a matter for each state to handle as it saw fit. Should northern fanatics interfere, their blood must be upon their own heads; and "with sword and torch would northern cities be destroyed!"²⁰

It has been said that not a day passed in March, 1848, but some despot trudged the highways of Europe, fleeing to England from the wrath of an oppressed people. Fugitives by the thousands were likewise sailing the seas for free America. This spectacle of a world revolution and of a universal blow for freedom was pleasing to Senator Davis. On April 7, 1848, he gave expression to his feelings in a resolution. He congratulated the French people and Louis Napoleon, their new President, upon the overthrow of overlords and kings and the return to the principles of liberty, equality, and fraternity.

¹⁸ Holst's, *Calhoun*, 300.

¹⁹ Wilson, II, 629.

²⁰ Speeches, July 12, 1848; Feb. 14, 1850.

This resolution Davis did not think incompatible with human slavery; indeed he did not consider the relation between southern whites and blacks slavery at all. It was but the proper relation between them. Was not the negro's condition a natural one? Was he not "a slave by the curse of God"? Was he not that "graceless son of Ham predestined to hew stone and draw water"?²¹ That slavery was a badge of honor to the South, that it "superseded the necessity for an order of nobility," was Davis's firm conviction. These words, "an order of nobility," are without doubt the key to Jefferson Davis's life. Once his aspiration had been to be a military chieftain, but now he aspired to be a statesman and a gentleman among gentlemen. A statesman, broad and nationally-minded, obedient unto the Constitution and the laws; a gentleman, jealous of his honor, brooking no insult, ready to die in avenging an injury—this Jefferson Davis conceived himself to be.

Now should the North undertake to dictate to the South and to shut out slavery from the territory acquired from Mexico, would this not be an insult to Mississippi and to himself, her accredited representative? Undoubtedly it would. Should he then submit to this insult? No! A thousand times no! Secession might be bad, and so was death, but "worse than secession and death was dishonor."²²

That Jefferson Davis did not create the conditions in which he found himself is undoubtedly true; that he increased bitterness is equally true. His lines were cast in an unfortunate age—the age of slavery. Jackson's task had been the democratization of politics, Van Buren's correcting financial evils; but Polk, and after him Pierce and Buchanan, floundered in the quagmire of slavery. Though some broad-minded Democrats, Van Buren and Cass, Woodbury and Taney, Benton and Silas Wright, concerned themselves with finances, with the tariff and freedom of the press, Jefferson Davis was interested in expansion schemes and slavery matters. He would import fresh supplies of slaves rather than send those on hand to their original jungles.²³

²¹ Speeches, April 12, 1848; July 12, 1848; April 12, 1860; Smith, W. H., 37.

²² Speech before Mississippi Legislature, Nov. 15, 1858; Langdon Cheves's address, Nov. 14, 1850, in Charleston Public Library.

²³ "The most stubborn slavery man I ever met," said Davis's friend, James Campbell. Jones, J. W., 138; *Globe*, 907; Speeches, July 11, 1848, Feb. 14, 1850.

In reply to Seward's theory that doing away with slavery would benefit the South, he exclaimed, "Would the gentleman have us sit quietly in the temple while he pulls down the pillars on our very heads? . . . "Why, Sirs, slavery and the return of fugitive slaves are sacred matters, and for this holy purpose the Fathers met in council." When therefore Jefferson Davis was ready to shed his blood for slavery-extension, under the Constitution, he was immolating himself on the altar of liberty.²⁴ In this holy purpose he struck right and left and spared not.

One day Robert C. Winthrop, a senator friendly to the South, called attention to defects in the fugitive slave law. In New Orleans certain free colored stewards had been taken from a ship and made slaves of. This statement Davis fairly ripped into.²⁵ A few days later Winthrop read a letter from a Boston sea captain stating that Senator Davis must have known that such things were happening.

Davis: Does the Senator endorse that letter?

Winthrop: No, I simply read it as information.

Davis: And so far forget what is due this body . . . To parade irresponsible private correspondence is dishonorable, Sir.

Presiding Officer: Order!

Winthrop: Dishonorable! Sirs, I read this letter as evidence and the Senator in his *ex cathedra* manner calls it dishonorable. . . . Has it reached a point when no one can call his opinion in question? . . . The author of this letter will doubtless reply to the Senator and when he does, I will read that reply.

Davis (in his seat): And perhaps if you do, Sir, I may be allowed to express my opinion on your conduct.

As soon as Winthrop could communicate with the captain, the latter offered proof of the charges and the matter was dropped. Winthrop's manner was dignified and unobtrusive, yet manly.

But Senator Davis's greatest scorn was reserved for southern Whigs and for weak-kneed Democrats—recreants, he called all such.

"Sirs," said Senator Davis, in that superb manner characteristic

²⁴ Cox, S. S., 114: "The only ground of contention between North and South was slavery."

²⁵ *Globe*, Appendix, 1657-1672; Wilson, H., II, 122.

of him when on the theme of a united South, "the recreancy of our own brethren has brought the South to her present condition."

The Presiding Officer: The Senator is not permitted to speak of recreancy.

Davis (unheeding): I am sure that we are entitled . . .

President: The Chair is under the necessity of preventing the Senator going on in that course.

Davis: I will turn my attention then to another point and apologize for any violation of the rules.

Senator Downs: My friend from Mississippi is using language I cannot pass over. . . . He speaks of the recreancy of certain southern gentlemen; does he extend that remark to include me?

Davis: What reason has the Senator to suppose I refer to him?

Downs: Because I differed with the gentleman on points relating to the interests of the South.

Davis (in his seat): When the gentleman concludes his remarks I will reply to him.

Senator Benton (interrupting): I beg the Senator from Mississippi not to make reply until he has conferred with the Senator from Louisiana . . . There is danger ahead, Mr. President. . . .

President: I understood the remark was withdrawn.

Senator Pratt: The Chair is mistaken; the remark was not withdrawn.²⁶

Though the context shows Downs to be one of the recreants, one who was at the very moment opposing Davis's motion to file a protest against the admission of California, Davis explained he did not mean to say the Senator from Louisiana was a recreant. As the debate progressed, Senator Davis used language quite as severe as that withdrawn. This scene presents a picture of southern hot-spurs and of Jefferson Davis, their logical leader.²⁷ Union compromisers, be they Democrats, as Downs and Houston, or Whigs, as Bell of Tennessee, and Badger and Clingman of North Carolina, he held in contempt and proposed to bully until they changed their opinions or suffered defeat at the polls.

For the South as a section Davis cared little; for the Democratic party he cared less; but for them as a means to stabilize slavery and put across his governmental ideas he cared much. Dif-

²⁶ *Globe*, August 15, 1850.

²⁷ *Picayune*, June 9, 1850; Eckenrode, 55.

fering with President Polk, in his message urging that England should be attacked and the whole of Oregon added to the United States, he declared he was no party man.²⁸ In a debate with Houston he rebuked the Texas senator for boasting that he was a Southerner.²⁹ "I know no North and no South," said Davis. "I am a citizen of the United States as well as of Mississippi, but my primary allegiance is to the State of Mississippi."

Andrew Johnson, cooperating with the North for a homestead bill and voting to allow Giddings to be heard on the floor in explanation of his conduct in offering abolition petitions, Davis stigmatized as an ally of Ben Wade, the abolitionist; Douglas, the Union-loving Westerner, he sneered at as a shifty demagogue. The Free Soil party he characterized as hucksters for power and place, without principle and without character. In a word, Davis was a schoolmaster, a drill master, his mind rigid and unbending. The crisis must bend to him; he never bent to the crisis.³⁰

"Oh, the South, the poor South!" were the dying words of Calhoun. But no such timid expression escaped the lips of the intrepid Davis. His language was always a trumpet peal, a note of triumph: "Mississippians! Forward, still forward, forever forward!" In Georgia in the 1840's, ten years before the Civil War, a banquet was given in honor of General Quitman and Colonel Davis. The affair is known as the Quitman Banquet. And the gay banqueteers knew their guests and sized them up.

"Colonel Jeff Davis, the Game Cock of the South," one toast proclaimed. "Jeff Davis, the President of the Confederacy," another.³¹

In the midst of this praise and adulation, Jefferson Davis was cold as marble. To any one afterwards referring to the occasion mentioned and intimating that Davis was a secessionist, he had but one reply. "To such a person," said he, "I will make answer in one word and that a monosyllable—(a lie)."

The years 1848-50 were crowded with evil for America: the nation was almost dissolved. A rigid fugitive slave law, prepared by Mason of Virginia, was about to pass and the North was in a

²⁸ Stephenson, *Lincoln and the Union*, 38.

²⁹ *Globe*, 1552.

³⁰ *American Historical Review*, 21, 8; Davis, R., 210.

³¹ Rowland, II, 145.

state of excitement. "They would not be made slave catchers of."³² The South was equally enraged. California was about to come in as a free state, though half of it was south of 36° 30', and the slave trade was about to be abolished in the District of Columbia. To this "disgrace" the South would not submit; it would secede first.

Now against every measure intended to pacify the sections, the extremists—North and South—were united. Secessionists and abolitionists were cheek by jowl: Robert Barnwell Rhett, the fire-eating South Carolinian, with a biting and blistering tongue, but who would not fight, as Senator Clemens of Alabama charged, cooperated with the abolitionist Chase.³³ Jefferson Davis, the Southern Game Cock, slept in the same political bed with Seward, the avowed enemy of slavery.³⁴

But strong as Jefferson Davis was in debate, in the council chamber he was stronger. Secessionists from Virginia to Texas consulted him.³⁵ In 1850 he looked with alarm upon the return to the Senate of Henry Clay, the Conciliator, and consulted as to his defeat. Previously he had been busy keeping conservative Union Whigs out of the cabinet of General Taylor, writing Senator Crittenden to keep Taylor from falling under Seward's influence.

Davis was likewise the recipient of letters urging the defeat of Senator Badger, recently appointed to the Supreme Court.³⁶ Recognizing Judge Badger's learning and fairness, the President had named him as a member of that august body, and Davis was importuned to see that he was turned down by the Senate.

Congressman Clingman, a Union Whig, had been insulted by Yancey and told to his teeth "that no one should have converse with a person of his heart"; Sam Houston, the Texas Unionist, was daily condemned by the rabid southern press, the Richmond *Dispatch* designating him "a hissing but stingless viper."³⁷ And now

³² Benton, II, 777.

³³ *Globe*, 641, 647, 654, Feb. 27, 1852. "Coward, knave, and traitor," Clemens called Rhett. "I am a professor of the Christian religion and will not fight," Rhett replied.

³⁴ *Memoir*, I, 571, 579, 580; *Globe*, July, Aug. and Sept., 1850.

³⁵ Davis *MSS.* at Washington.

³⁶ *Ibid.*

³⁷ *Globe*, 204; Feb. 15, 1854.

Badger must be given attention—Badger “faithless to the South” and chief of the “recreants.”

In the Senate on more than one occasion Badger had striven to allay sectional bitterness. Once he exclaimed, “What would I give to save the Union? What would I not give? . . . Take up arms and dissolve this Union because we are not permitted to take slaves to Utah, California, and New Mexico! Why, Sirs, there seems to be no proportion between the comparatively small, almost insignificant, premises and the vast portentous consequences!”

Such was George E. Badger, idol of North Carolina Whigs, the aversion of secessionists, perhaps the greatest constitutional lawyer in the Senate, who always and everywhere affirmed that secession was revolution, pure and simple. A man of such views was obnoxious to the Yanceys and Davises and must be turned down. On the supreme bench he would spread the Union heresy which he was teaching in the Senate.

On January 22, 1853, Jefferson Davis received a letter from Thomas I. Dumont, a prominent citizen of New Orleans, warning him against the North Carolina Senator. “Badger is a dangerous man,” Dumont wrote. “His views on government are wrong, his selection is a political calamity, and you must see that his confirmation to the bench is defeated.” Badger was not confirmed, the vote being 25 to 26; had he become a supreme court judge, the Dred Scott opinion might have been less harmful, less unjudicial.⁸⁸

It is the fashion in our day to berate the old Whig party. It was timid and it had no policy, we are told; had it been bolder, it might have strangled secession in its cradle. But is this wholly true? Was not the Whig party a nationalizing and constructive influence? Succeeding the party of Washington and Hamilton, the Whig party, if entrusted with power, might have worked out some scheme to abolish slavery and prevent civil war.

Henry Clay, the father of the Whig party, had put through two far-reaching measures: the Compromise of 1820, adjusting the Missouri question; and the tariff of 1833, enabling Jackson to save South Carolina to the Union without bloodshed. Daniel Webster, the prophet of the party, in his imperishable debates with Hayne and Calhoun and in weighty utterances before the Supreme Court,

⁸⁸ Beveridge, II, 453.

had nationalized America and demonstrated the folly of secession and the absurdity of a self-destructive confederacy of states. Surely these accomplishments were of value to a new republic in danger of too much freedom rather than of too little.

But the Whig party would undertake a larger task, the task of solving slavery. Its leaders being cultured, conservative and wealthy—owning more than two-thirds of the property in America—were determined to tackle the irritating slave issue and save the Union. To this end Whigs in the North would enact the Wilmot Proviso and prevent the spread of slavery by law. Whigs in the South had a remedy more drastic: they would prevent the acquisition of any further territory. They favored preserving the present status of slavery, contending that all territory owned by the United States was covered by the Missouri Compromise. “Why add new territory,” they asked, “to stir up more strife? Let slavery alone and it will burn itself out. . . . Why acquire California and the far West and precipitate a civil war?”³⁹

The weakness of the Whig position was manifest: it was not aggressive. There was no land-grabbing about it, nor did it mouth of America’s “manifest destiny” or stir the imagination as did Democratic slogans. Moreover, the Whig policy would have postponed the acquisition of California to some future day. But these advantages conservative southern Whigs were willing to forego to secure peace and save the Union.⁴⁰ And this may be further said, that the Whigs were a discerning people, neither blusterers nor braggarts. They looked the slavery matter squarely in the face. They knew slavery was a moral and social evil—as R. E. Lee maintained—though a necessary one, handed down from father to son, and difficult to get rid of.

They remembered, too, that Washington had condemned slavery and had freed his own negroes, and Thomas Jefferson had declared of slavery that it was debauching southern youth and was destructive of southern progress. They understood that the soil of Virginia and the Carolinas was leached and thin, and that the rich soil of Mississippi was wearing out under thriftless slave labor.

³⁹ Clay’s last great effort was to bring about abolition and colonization in Kentucky.

⁴⁰ Clay’s Raleigh letter, Apr. 18, 1844. Clay modified this letter.

In the census table they read that the wealth and population of the Free States were increasing more than twice as fast as the Slave; with their own eyes they observed covered wagons by the hundreds, filled with Quakers and other useful citizens, leaving the South for the West, for that country set apart for free men, free speech, and free homesteads. They likewise understood that there was more money on deposit in the savings banks of Boston than in all southern saving institutions combined.⁴¹

Excited orators, blowing hot and cold, were an offense to conservative Southerners: in the Senate Jefferson Davis boasting that the South was rich and prosperous and the North a decadent section, in Mississippi asserting the contrary.⁴²

"Sirs," said Senator Davis to the senators from the North,⁴³ "but for the cotton crop your mills would close their doors and your factories suspended business; but for southern trade grass would grow in the streets of your cities. . . . Tyre and Sidon perished for lack of agriculture." "My friends," said Senator Davis a few months later to a literary society at the University of Mississippi, "the South must bestir herself, we have no water power, no factories, our timber is unemployed. The virgin soil is used up and exhausted, in many places presenting the aspects of sterility. . . . Fletcher's *Studies on Slavery* I commend to you: here you will find that half the crimes of the Decalogue have been committed by the abolitionists."⁴⁴

In the midst of such contradictory statements conservative Southerners drew their own conclusions. They knew, as stated above, that the free North was outstripping the slave South, and all because of slavery. While the South was making more money and raising larger crops than the North, it saved less. It was wasteful and its property consisted largely of slaves. They realized that slavery was a wasting disease, not to be cured by more slavery. Under a wiser leadership they looked forward to the day when the South, with advantages of climate, of water power, of forests, and of diversified industries, would be a garden spot.⁴⁵

The ethical balance was likewise against the South. In truth, financially and economically the South was more advanced than

⁴¹ Rhodes, I, 356.

⁴² Feb. 14, 1850, *Appendix*, 156.

⁴³ July 14, 1850.

⁴⁴ Pamphlet, Congressional Library.

⁴⁵ Helper's *Impending Crisis*.

ethically. Hence the whole world was against slavery and against the South. Years before nearly every civilized country had abolished slavery. Every breeze that blew, every locomotive that screamed, every ship that sailed, foretold the coming of freedom. Half a million oppressed emigrants, leaving Ireland and Germany in 1846, many of them making their homes beyond the Mississippi, sounded the death knell of slavery.

"The instinct of freedom has become a religious instinct," said Webster in his Niblo's Garden speech, "not to be coaxed into silence and not to be suppressed."⁴⁶ "While slavery in the old states will be upheld, as it is protected by the Constitution, no new slave state should enter the Union." And this sentiment was common to southern Whigs as well as to northern. David Outlaw, a North Carolina Congressman thus gave expression to Webster's utterance: "Before the country and before God," he exclaimed, "the Democratic party is responsible. It has waged an unjust war on Mexico, it has annexed Texas, it has filled the land with discord, and we are now on the verge of civil war."

It must not be concluded that Jefferson Davis was a conspirator, planning and plotting to dissolve the Union, and wholly goaded by ambition. His father-in-law, Zachary Taylor, made this charge; so did Andrew Johnson and Foote, on a hundred southern stumps. Reuben Davis likewise asserted that his good friend, Jefferson Davis, "was the leading disunionist from the first." Jefferson Davis was not a conspirator, he did nothing in secret; he was bold, open, defiant. That he was a secessionist, none can now deny.

What then did Davis's course in the late 1840's signify? Undoubtedly he had a definite objective and that objective was to fire the southern heart and make ready against the coming of war. He did not expect war; he was sure the North would submit and obey the Constitution. But if war came, he was determined there should be a solid South. The anti-slavery agitation, as he saw it, was mere politics; abolitionists mouthing of freedom were maudlin sentimentalists, pernicious philanthropists, or jealous business rivals. Bold, opinionated, and self-confident, Davis refused to listen to arguments about slavery. Examine the question in the light of

⁴⁶ March 15, 1837.

advancing civilization, he would not. Why all this pother about the negro, scarcely a human being, and on whom the seal of slavery had been fixed? "The sons of Japheth must dominate America, and not the mongrel descendants of Ham!"⁴⁷

"Why is the negro a black man and a slave?" Davis inquired. "Obviously because of the sins of Ham, the father of the black race, who gazed at his father, Noah, drunk and stark naked. When the low and vulgar son of Noah laughed at his father's exposure, sunk by debasing himself and his lineage by a connection with an inferior race, he doomed his descendants to perpetual slavery."

"The agitation of slavery has grown into a trade," said Senator Davis. "There are men who habitually set aside a portion of money which they earn to apply to what are called charitable purposes; that is, to support some vagrant anti-slavery lecturer."⁴⁸

Now when the Senator gave expression to these views, did he not lose sight of some abolitionists at least who were not in politics: Channing, Emerson, and Lowell; also professors in a hundred colleges; likewise the great intellectual group; women, too, such as the Grimke sisters of South Carolina? While indeed Davis was asserting that the anti-slavery agitation had grown into a trade, Emerson was demonstrating the contrary. Addressing the poorer classes of the North, he exhorted them to come to the rescue of freedom. "If you have no ready cash," said Emerson, "sell your apple trees, stint yourself, do with less in freedom's cause."⁴⁹ "I am in earnest," said Lovejoy, "I will not equivocate, I will not excuse, I will not retreat one inch, and I will be heard."

The difference between Jefferson Davis and conservative Southerners was vast indeed. Conservatives recognized the evils of slavery, but saw the difficulties of abolishing it. Mr. Davis acknowledged no evil. He considered it "good, wholly good." Years before on Hurricane plantation, he and his brother Joseph had settled the question. They had adopted the Aristotelian view of slavery: "No healthy lasting society can dispense with slaves. . . . So long as slavery existed in Rome her government was a model and she ruled the world, but as soon as slaves were set free and given the ballot, the fate of Rome was sealed. . . . Slavery was the

⁴⁷ *Globe*, 36 Congress, 1938; *Genesis*, 8: 18; 9-25; *Globe*, April 12, 1860.

⁴⁸ *Ibid.*, 37 Congress, 1942.

⁴⁹ Rhodes, II, 219.

very cause of civilization.”⁵⁰ Or, as another writer puts it, “When citizenship permeated the masses the downfall of Rome began.”⁵¹

The most important question confronting Senator Davis and the stalwarts at this time was how to deal with the poor southern “mudsills,” as Hammond of South Carolina called them. What would these men do when war came?⁵² Would they oppose the South and join the North? Perhaps they would. Why should they go to war and fight to protect the property of others?⁵³ A few thousand southern families owned nearly all the slaves and the poorer whites owned practically none. The poor whites must therefore be aroused, they must be made to understand that they would be the greatest sufferers if the slaves were set free and turned loose upon the land.⁵⁴

Vast propaganda were accordingly set on foot and spread among the plain people of the South, firing their hearts, unifying their thoughts. Every stump echoed with denunciation of abolitionists and Yankees—synonymous words. Every pulpit, every newspaper, every crossroads, every fireside, was busy with the absorbing topic. Senator Davis’s speeches on the anti-slavery movement, proclaiming the horrors which would follow in the wake of abolition, were printed in the *Globe* and in pamphlet form. They were copied in the southern press. They covered the land.⁵⁵

If the abolition craze succeeded, there would be a second Santo Domingo.⁵⁶ In 1808 the slaves on that island were set free and what happened? Sixty thousand white inhabitants butchered in two months—practically every white person on the island; in the Nat Turner Southampton slave insurrection in 1831 no less than eighty white women and children murdered in two nights. In 1803 a hundred negroes were hung in Charleston; they had risen up to kill their masters. Threats and denunciations uttered by abolitionists were circulated. From these it was easy to demonstrate

⁵⁰ Christy, “Cotton Is King.”

⁵¹ Rostovtzeff, 487.

⁵² Beveridge, II, 678.

⁵³ This question perplexes A. B. Hart: *Slavery and Abolition*, 16.

⁵⁴ Rowland, II, 74.

⁵⁵ Davis MSS. at Washington.

⁵⁶ The *Mississippian* went into nearly every home in the state. Davis, R., 352.

that social equality was the real object of the abolitionists, and mixed schools, mixed marriages, and a mongrel race.

During the sessions of the courts, judges took a hand. Grand juries were instructed to investigate, and if they found seditious newspapers circulating, to indict the editors. Bills were found against Garrison, Giddings, and Chase. A reward of a hundred thousand dollars was offered for the head of Seward. Rewards were offered, not only by governors, but by private citizens, for the heads of other abolitionists.

On the other hand, northern abolitionists were fully as rabid and active as southern secessionists. Indignation meetings were held; on July 4, 1854, the Constitution, having been cursed as a league with hell, was burned in the public streets. After *Prigg* vs. *The United States* deciding that slave-catching was the business of Congress and not of the states,⁵⁷ the fugitive slave law became inoperative.⁵⁸

Now this agitation sunk deep into the consciousness of the illiterate but honest southern masses. Unsophisticated, they believed what was told them by the leaders, and were anxious to resist the oppressors. By nature they were in conflict with both free negroes and slaves. The free negro was their business rival and they despised him. The slave was their deadly enemy and they hated him. This feeling, it must be said, the slave augmented by his contempt for the poor whites.

Nothing delighted a well bred domestic servant more than to humiliate and degrade the po' white trash, as poor whites were called by slaves; nothing so scandalized an aristocratic "Mammy," flounced out in scalloped apron and motherly cap, than to "ketch her white chilluns messin' roun' dis yeah low down white trash." Should a poor white venture to the front door of the Great House, he would be met by the negro butler and told to "tek hisself roun' ter de back do' whar he blonged."

The virtue of southern conservatives—Whigs or Democrats—was their effort to allay sectional bitterness. The vice of secessionists was fanning the flames. Robert J. Walker illustrates the case of the conservative. I have said that Walker was one of the

⁵⁷ Peters, 16, 539.

⁵⁸ *Ex parte Langston; ex parte Bushnell*, 9th Ohio Reports.

wisest counsellors of the South after the year 1840. This conclusion is largely based on one fact: Walker proposed a solution of the negro question—a permanent solution. The newly acquired territory should be sold, the slaves emancipated and paid for out of the proceeds and the freed men deported to a country of their own. Santo Domingo and adjoining islands were close in and would furnish ample, accessible, and commodious homes.

Walker's plan was opposed by Yancey and Davis in the South and by Thad Stevens and Giddings in the North. It therefore fell through.⁵⁹ Walker's plan was endorsed in substance by Webster and Clay, by Seward and Rufus King, and in later years by Lincoln with enthusiasm.⁶⁰ In 1833 England had paid twenty million pounds sterling to the owners of the slaves she then liberated. On January 7, 1824, Ohio passed an act, concurred in by five or six western states, proposing a conference with southern states on a solution of the slavery question. The matter was presented by Ohio to Georgia and Mississippi and rejected. To liberate slaves in this way would be an insult to the South.

Thus, like the blades of a pair of shears, did uncompromising abolitionists and secessionists prepare to cut in twain the fabric of American civilization. Would the conservatives, Clay and Webster, Bell and Badger, Mangum and Crittenden, Corwin, Houston, and Edward Everett, be able to hold the states together or would the incongruous combination of extremes—Rhett and Chase, Davis and Seward, Preston Brooks and Thad Stevens—rend them asunder? No thanks to northern extremists if the ship of state should go on the rocks, their hatred of "the accursed Union" being no less than Rhett's.

In their anti-slavery Constitution of 1833, the extremists had promulgated a doctrine obnoxious to every patriotic southern man and destructive of his civilization. In this constitution immediate abolition was not only demanded, without compensation to the owners, but it was declared "there should be no scheme of expatriation either voluntary or involuntary." Freed negroes were to remain in the South forever.⁶¹ In a word, political abolitionists wished both to reform the South and to humiliate her.

⁵⁹ Herbert, 39; Rowland, II, 267; Walker's pamphlets in the Library of Congress.

⁶⁰ Oberholtzer, I, 75; Merriman, I, 58.

⁶¹ MacDonald, 354.

CHAPTER VII

FIVE GAPING WOUNDS

In the last chapter I ran ahead of my story in order to group certain of Jefferson Davis's characteristics, common to his entire career. I now take up the thread of his life.

Early in 1848, Senator Douglas, chairman of the Committee on Territories, presented a bill to organize Oregon into a territory. It will be remembered that Oregon is now two states, Oregon and Washington. Hale offered an amendment prohibiting slavery therein and Davis followed with a counter amendment, that slavery should not be excluded. These two amendments paralyzed the bill.¹ A heated debate followed, participated in by Webster and Calhoun. Senator Davis insisted that no southern senators asked to introduce slavery into Oregon, but did ask that the principle of property in slaves be established so they could carry slaves there if they wished.

He then indulged in a favorite thrust, charging his opponents with playing politics, and asserted that there was no ethical principle involved in the slavery agitation. "This contest is purely political," he declared, "a temporary struggle between politicians, and I trust the danger will pass. But if destruction of slavery is intended, then let the Union be dissolved." This threat to dissolve the Union was rebuked by Clayton of Delaware. "The Senator's utterances," said Clayton, "are intended to exasperate, not conciliate the South."

In itself the Oregon question was of no practical purpose, Oregon being north of 36° 30' and the climate too rigorous for the warm-blooded African. But as a precedent it was most significant. If Davis could get an admission into the bill that Oregon was to be free, because north of 36° 30', he would be content: he would have established a general slavery principle. Such declaration would enable the stalwarts to organize so much of California and New

¹ Burgess, 345.

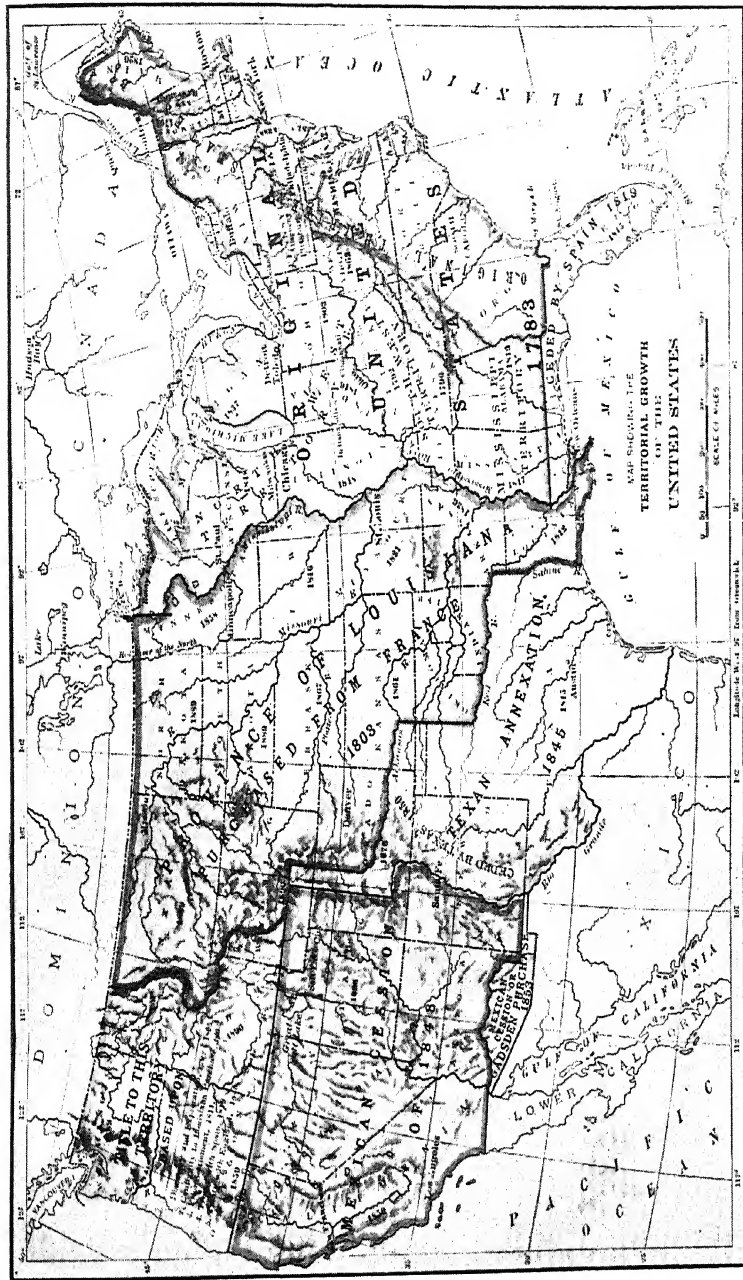
Mexico as was south of that line into slave states—a goal always before Davis's vision.

At the same time that the Oregon question was before the Senate, California and New Mexico were likewise under discussion. They were insisting that the military rule under which they were operating cease and that they be incorporated into the Union. This request was a reasonable one, as they had the requisite population. Gold had been discovered on the Pacific slope and adventurous immigrants, deserting the effete East for this new Eldorado, were rushing thither in caravans. A serious obstacle stood in the way of the admission of New Mexico, however. Her eastern boundary was in dispute with Texas.

Texas claimed that under the concessions of General Santa Anna in 1836 her true western boundary extended to the Rio Grande—a claim she was ready to back with the sword. New Mexico denied this claim and asserted a right to territory south of the Nueces River. There was likewise another difficulty in the way of the admission of both New Mexico and California. What was their status as to slavery? In 1848, when purchased, were they free or slave? The better opinion was that they were free because slavery had been abolished therefrom by Mexico, before the United States acquired them. This position Jefferson Davis almost alone disputed, supporting it with an argument to show that Mexico had not liberated the slaves in those countries.

"But," Senator Davis contended, "suppose we grant they were free before America acquired them, how does this change the situation? The status of slavery in these countries is uninfluenced by the laws of Mexico. The customs of conquered nations do not survive their conquest and when California and New Mexico became American territory, automatically they became slave. This must be true because the territory of the United States is the heritage of each state alike and therefore open at all times to slavery as to other property."

To this extreme position had both Calhoun and Davis now arrived. Calhoun indeed went a step further and asserted, "Slavery follows the flag." Or to use his own language, "The sovereignty of Mexico in the territory acquired by the United States became extinct and the United States was substituted in the place of Mexico and carried with it the Constitution itself." This dogma



Senator Benton, in his grandiloquent manner, styled "the transitory feature of the Constitution and the instantaneous transportation of itself in its slave attributes into all acquired territory!"

The long-drawn-out controversy was finally referred to a special committee of which Clayton was chairman and the Clayton Bill was reported. It provided a territorial government for Oregon without slavery and a like government for California and New Mexico, which were to be free or slave as the inhabitants should determine. But any inhabitant might test the constitutionality of the act in the courts, with the right of appeal to the Supreme Court. Jurisdiction of the matter was likewise conferred upon the Supreme Court. Discussing the Clayton Bill, Tom Corwin, the wit of the Senate, exclaimed, "Why, Sirs, we are not enacting a law but a lawsuit."

The bill, an honest attempt to substitute law for public opinion, passed the Senate after an all-night wrangle, but was tabled in the House on motion of Stephens of Georgia.² Senator Davis voted for the measure—he was no doubt willing to entrust the slavery issue to the decision of a court seven out of nine of whose members were pro-slavery.

The Oregon question had stirred the country to the depths. The Senate and House were at loggerheads, the Free Soilers of the House holding the balance of power. The conservative Senate would not consent to admit Oregon free; the anti-slavery House would consent to nothing less. Hence the deadlock. An ominous situation it was, illustrating the irrepressible conflict of slave labor with free. The civilization of the leisurely delightful old South was being pitted against that of the new West. Not until the last day of the session did the Senate yield to the House and admit Oregon free.

President Polk approved the bill because, as he declared, Oregon lay north of 36° 30'. The President was willing to "admit" that good faith required the Missouri Compromise line to be extended to the Pacific, though Congress was not. In his message, Polk likewise urged the expiring Congress to organize California and New Mexico and to extend the line to the ocean.

But Congress adjourned without action; it was in no mood to

² July 27, 1848, *Appendix*, 1008.

legislate on any subject. With great difficulty it had passed the appropriation bills. The remainder of the session was full of violence and disorder, blows were exchanged in the Senate and fist-cuffs occurred in the House. Blood flowed freely. "Had the North been as ferocious as the South, there would have been a general mêlée."³

The admission of Oregon as a free territory, Davis regarded as simply unthinkable. The matter of slavery ought certainly to have gone to the people *after* Oregon had become a state. Such ruthless proceedings indicated that no slave state could ever again be admitted and that abolitionists had determined to exclude slavery from the territories, and to promulgate the Wilmot Proviso. "Now is the Union dissolved," Calhoun sighed; and Davis returned to Mississippi a disappointed man. The Oregon question had wounded his pride and cut him to the quick. Moreover, it ran counter to his conception of government and to the constitutional provisions relating to the territories.

If Congress could admit Oregon free, why could it not also admit California and New Mexico? Why indeed should Davis strive to acquire Mexico or other lands to prove ruinous to slavery? Why organize the southern states and gather his forces to seize Cuba, Mexico, and Central America, if the North was bent on making them free?

At the usual times the three political parties had met and chosen candidates for President and Vice-President. The Whigs selected Taylor and Fillmore, the Democrats, Cass and Butler, and the anti-slavery party, ex-President Van Buren. In their platforms neither Democrats nor Whigs dared mention the absorbing question of slavery extension. The Democrats would not declare for such extension for fear of losing anti-slavery votes in the North; the Whigs were too timid to declare against it for fear of losing slavery votes in the South. A spineless situation was thus developed in which Davis and the stalwarts had little interest. At the Baltimore Convention Yancey had bravely fought for an aggressive slavery extension plan but had failed.

Angered because the North was opposing slavery extension, disgusted that the South was not a unit in demanding its rights, and realizing that Congress was determined not to extend slavery over

³ Holst, III, 454.

the new territory, Calhoun and Davis now began to organize in real earnest. Calhoun took steps to call a southern convention whose object, as the callers insisted, was resistance to the encroachments of the North, but which the Whigs and many northern Democrats charged was to prepare for secession. A letter from Calhoun to Collin S. Tarpley gave color to the charge. "South Carolina is already organized," Calhoun wrote, "and expects Mississippi to join her in the movement."

On October 12, 1849, Davis addressed an open letter to his constituents warning them of impending danger. After suggesting that the South build factories, enter upon industrial pursuits, and prepare for her own subsistence, he closed significantly as follows: "The generation which avoids its responsibility on this subject sows the wind and leaves the whirlwind as a harvest to its children."

On December 21, the House passed a bill abolishing the slave trade in the District of Columbia, whereupon every southern Democrat marched out. At that very moment a resolution was pending in the Senate to pay tribute to Father Mather, a well-known humanitarian visiting in Washington. Senator Davis made an opposition speech of great intemperance. After a few kind words personal to the prelate, he exclaimed, "Degenerate and unworthy of the sires from whom we derive our institutions must that son be that can grasp the hand in fellowship with which he scatters over our land a new and most mischievous species of domestic discord . . . Sir, if I had the power I would exclude every abolitionist from this chamber!"

A few days after the above incident, Calhoun called a caucus of southern members.⁴ Eighty-odd stalwarts answered the call, and at an adjourned meeting Calhoun read an address to the southern people which he, as chairman of the committee, had prepared. The address, much toned down, was adopted, signed by forty-nine members, and given wide publicity. Jefferson Davis was one of the signers, thereby again estranging his Union-loving father-in-law, President Taylor. Just before Taylor was nominated Davis had written and asked his views on the duty of the South. A satisfactory answer had been received, and at the Balti-

⁴ Rhodes, I, 104.

more Convention it was the talk that Colonel Davis was going to support General Taylor.⁵

Davis finally cast his ballot for Cass, but took little part in the canvass. Davis's southern address and his attitude towards slavery extension angered Taylor, whose feelings again underwent a change. The bluff soldierly man had now reached the conclusion that a conspiracy to dissolve the Union was hatching and Davis was the chief conspirator.⁶ In his message to Congress the President recited his course towards California and New Mexico, called attention to the fact that California had unanimously adopted a free constitution, and recommended that she be received into the Union.

When the Thirty-first Congress met December 3, 1849, problems more numerous or more difficult had never confronted that tribunal, and, fortunately for the Union, there had never been a wiser or more patriotic body. The Senate was specially strong. Clay, Calhoun, and Webster, the Great Triumvirate, were meeting in the forum for the last time. Grouped around them were Seward, Chase, and Hale, exponents of the growing anti-slavery sentiment; Davis, Hunter, Mason, Benjamin, Soulé, advocates of slavery extension; Houston, Douglas, Bell, Badger, Mangum, Foote, and Benton perhaps, conciliators. In the House, Toombs and Stephens the Siamese twins of American politics, were recognized Union leaders.

Separate bills, relating to the admission of California, New Mexico, and Utah, and to the slave trade in the District and the fugitive slave law, were again pending in Congress. The first of these, the admission of California as a free state, was opposed by the entire Mississippi delegation. Senator Foote was specially active in opposition. The delegation reported the situation to the Mississippi legislature and requested instructions. A reply came to fight the measure to a finish: it was not only unconstitutional, but a trick of the abolitionists and should be defeated.

On January 29, 1850, Clay, having combined these five measures into one bill, laid his compromise before the Senate and the noted debate began. In his right hand, Henry Clay usually carried the olive branch of peace, though he would on occasion denounce disunion and declare that the disunionist was a traitor and should

⁵ Rowland, I, 210.

⁶ Rhodes, I, 135; Montgomery, 9.

meet a traitor's doom. Vast throngs crowded the floor of the Senate and filled the galleries. Never before had there been an audience of "more grace, beauty, and intelligence" and never had the great orator been more effective. As frankly and intimately as if he were talking to a confidential friend, he expressed himself as he pleaded for the Union.

"There are five gaping wounds and they must be healed," said Clay, counting them on his fingers. He then proceeded to name them: "(1) The admission of California as a Free State. (2 and 3) The organization of New Mexico and of Utah, each as a territory, with or without slavery as the inhabitants shall determine, and the settlement of the disputed boundary between Texas and New Mexico. (4) The abolition of the slave trade in the District of Columbia. (5) An efficient fugitive slave law."

"Heat, passion, and intemperance," Clay continued, "are being diffused throughout the land . . . But let us with the sacrifice of no great principle, arrange such a scheme of accommodation as will restore peace to our distracted country . . . In a few days now I shall lay aside all earthly ambition and honors for the habiliments of the tomb. . . . Nought concerns me—for nought do I care, save a united country." Weary and exhausted, the Old Patriot sank into his seat. Crowds thronged about him. Women embraced and kissed him. The most hardened cynic dropped a tear.⁷

Jefferson Davis was unmoved. Rising in his place he offered an amendment, his pet scheme, that the line of 36° 30' be extended to the Pacific to cut California in twain, the northern half to be free and the southern, slave.

Calhoun's speech was read by Mason, the aged Carolinian being too feeble for the task. Feeble though he was, there Calhoun sat, fighting to the last gasp. With head erect, the fires of passion burning in his sunken eyes, and swathed in flannel, he restated his logical out-worn dogma of the indivisibility of sovereignty. He likewise offered an amendment that two presidents be chosen, one by the Free States, the other by the Slave, each to have a veto power over Congress.

On March 7, Webster spoke, the only speech in our history known by the date of its delivery. "I wish to speak to-day," said the god-like Daniel, "not as a Massachusetts man nor as a northern

⁷ Scherer, 208; Schurz, II, 389.

man, but as an American"—an oration which stirred the country and became the declamation of thousands of school boys.⁸ Seward replied to Webster. "This compromise will be useless and futile," said Seward. "No government can change the moral convictions of its subjects . . . We are told slavery is protected by the Constitution and that the Constitution regulates our stewardship. *But there is a higher law than the Constitution.*"

When the sententious Benton rose, he heaped ridicule on the bill. "Cats and dogs have been tied together by their tails and flung across a pole!" he snorted. Clay, he dubbed a quack doctor peddling his nostrums: "Old Doctor Townsend of famous Sarsaparilla fame! . . . Five gaping wounds indeed!" he sneered. "If the Senator had had more fingers there would have been more wounds!"

Benton, who was really devoted to the Union, charged that the excited condition of the country was due to the Southern Address, a document intended to bring on secession. Here Foote, whose hatred of Benton was a mania, sprang to his feet and exclaimed, "The signers of that address, Sirs, will be held in veneration when their calumniator is a subject of loathing and contempt!"

At the word calumniator, Benton rushed at Foote, who backed towards the clerk's desk, levelling his revolver at Benton's breast. Benton, in a towering rage, was pinioned and held fast and a general mêlée was narrowly averted.

Houston likewise attacked the Southern Address and Senator Davis for his connection with it. The stern old Texan charged that the opposition to the bill was disruption of the Union. "Why," Houston asked, "is the Senator from Mississippi offering an amendment to extend the Missouri Compromise line to the Pacific but to defeat the bill? Does any one imagine that California, which is overwhelmingly free, will consent to be cut into two states, one free and the other slave?" The attacks on Senator Davis by Houston and others found their way into the daily press, arousing the Mississippian to bitter rejoinders.

"I want a full and final settlement," said Senator Davis, "and the least I will accept is the Missouri Compromise line to the Pacific. . . . The spirit of 1820 was a line extending west till lost

⁸ Beveridge, II, 127.

in the waters of the Ocean.”⁹ “When a reputable man makes a charge that I inject the Missouri Compromise line to favor disunion, I will answer him . . . I’ll answer any reputable man with a monosyllable who charges I’m a disunionist . . . A set of scavengers are hanging over this Senate whose business is to invent or gather slander; one specially, the vilest of his class, Herman . . . I see nothing short of conquest on one side or submission on the other . . . And, Sirs, when my people want a standard bearer, I am at their command.”

“There is no occasion for a standard bearer,” Foote sneered.

Since the personal encounter between Davis and Foote two years before, they had agreed to make no reference to each other, but this was impossible. Davis was now actively organizing his Mississippi forces, urging them to cooperate and protect southern rights. Foote was leading the opposition and championing the Union cause. Crowds continued to fill the Senate chamber, attracted not only by the oratory but by the spectacle of personal encounters.

On one occasion Senator Benton, the friend of Jackson, with an inherited contempt for the South Carolina Nullifier, paid his respects to Calhoun and to his theory of a self-destroying government. Benton cited Calhoun’s numerous addresses, his manifestoes, pamphlets, public letters, and particularly the resolutions of February 19, 1847, intended to enrage the hot-blooded South. “In these resolutions,” Benton declared, “I see many nullifications, as Sylla saw in Cæsar many Mariuses.” Calhoun’s theory that the Constitution carried slavery into the territories greatly enraged the bold Missourian, who exclaimed, “Sirs, this is the vagary of a diseased imagination. It is a tale told by an idiot, full of sound and fury, signifying nothing!”

Much was expected of Senator Jefferson Davis when he came to address the Senate, nor did he disappoint his friends. In bold and defiant language he spoke. High he held his standard, ready to risk all for equal rights in California and New Mexico.¹⁰ He opened his remarks with a passing reference to the large crowd which had assembled. He realized they were not present because of the speaker, but for his cause.

“Sirs,” said he, “not passion, not party, not noisy fanaticism,

⁹ *Globe*, 995; June 27, 1850.

¹⁰ *Ibid.*, 31st Congress, May and June, 1850.

but a steady purpose to dominate and conquer is the policy. . . . Slaves are property and above all law. . . . Slavery preceded the Constitution, preceded the law. . . . Sirs, I have been at all times willing to compromise on the line of $36^{\circ} 30'$ to the Pacific, not to establish slavery south or north of that line, for it needs no establishment there. . . . Without the slavery clause of the Constitution, there would have been no Union."¹¹ Having laid down this general proposition, of the rights of property in slaves, the speaker hastened to his conclusion: Slaves, as other property, might be carried anywhere in the United States.

This conclusion was controverted by Douglas and Clingman. "True," said they, "one may carry his property where he wishes, but not his institutions. Whiskey is property but may not be carried into a "dry" state; a Mormon with fifty wives cannot claim his polygamous rights outside of Utah. Equally so, one may not carry slave property into anti-slavery territory; to do this would be to transport slavery-customs contrary to law."

In one of his speeches, Senator Davis referred to an idea recently broached by Cass in a letter to A. O. P. Nicholson that squatters in the new territory should be allowed to vote. "Sirs," said Davis, "I prefer the Wilmot Proviso. It is at least honest."¹²

On April 18, 1850, Clay's resolution on Foote's motion had been referred to a select Committee of Thirteen and on May 18 the committee reported substantially the bill as offered by Clay in January. There was also a minority report. On July 31 the vote was taken on the committee's report and the bill was torn to shreds. By a combination of extremes and by the opposition of President Taylor, the measure was emasculated. The President was not willing to a hodge-podge measure; he wished no "Omnibus Bill," as he called the Clay compromise. He had cooperated in making California a state and insisted that his action be endorsed. Not a strict party man, Taylor loved the Union with a soldier's devotion, and placed it above slavery. To promote the public good he would take counsel of Seward or of any other Northerner, though in so doing he might estrange his son-in-law and the extremists.

On a final vote the section relating to California was defeated; so were the sections relating to New Mexico, the slave trade in the

¹¹ *Globe*, XXII, 156.

¹² Fish, 7.

District, and the fugitive slave law. Only one section of the bill escaped the general holocaust—the admission of Utah. And when the vote was announced, Benton, in lordly fashion, declared: “The Omnibus Bill has landed at its destination, but with only one passenger!”

Jefferson Davis took delight in the defeat of the Clay compromise, boasting that it was the best work he had ever accomplished. He likewise derided Foote and Douglas for their support of the measure. But he had placed himself in strange company, that of the abolitionists, men whose names were anathema in southern Union households. Seward, Hale, Chase, John Davis of Massachusetts, and Jefferson Davis of Mississippi, voting as one man, “No,” while Clay, Webster, Cass, Douglas, Foote, Bell, Badger, and Mangum voted “Aye.” Whigs indeed charged that southern fire-eaters had formed a combination with abolitionists to dissolve the Union.¹³

Soon after the defeat of the Omnibus Bill sundry events happened favorable to a compromise. In July, President Taylor, who had opposed the bill, died very suddenly, and was succeeded by Vice-President Fillmore, an advocate of compromise. Moreover the “Secession” Nashville Convention which met in June proved a fiasco. Only a few states were represented. Chief Justice Sharkey, a conservative, presided and the resolutions adopted were not as war-like as had been expected. Furthermore, the dispute over New Mexico’s boundary line had become acute, and Texas was threatening to take forcible possession of the lands claimed by her. Evidently something must be done and at once or the United States would find herself at war with Texas.

Again, New Mexico and California were growing restless because their demands to enter the Union had so long been postponed. California was insisting that she had complied with President Taylor’s instructions and would brook no further delay. The new President, in the reorganization of his cabinet, selected conservative men, naming Webster as Secretary of State; anti-slavery officials, holding office under Seward’s recommendation, were removed and compromise-Whigs put in their places. And finally the business interests were demanding that the territorial question which

¹³ *Picayune*, Sept. 16, 1850; *Southron*, Aug. 2.

had so long distracted the country be settled,¹⁴ as two hundred million dollars were due northern merchants by the South.

At this favorable moment, early in August, Douglas brought forward a separate bill to admit California as a state. This was followed by a bill to organize New Mexico and to appropriate ten million dollars to settle her boundary dispute. Other bills relating to the controversy were offered and thus the entire matter came up again before the Senate. But not before the same Senate.

The Great Triumvirate was no more. Calhoun was dead; Webster was in the cabinet, having been succeeded by the scholarly Winthrop; Clay, weary and disappointed, had gone off to the sea-coast for rest. Nevertheless, diplomacy, plus the ten millions, worked wonders—even more than oratory. The proposition to admit California appeased the West and won over Benton who became one of the four of the original committee to vote for all five of the measures.¹⁵

By a strange twist of fate the dare-devil Foote took charge of the southern end of the fight,¹⁶ tongue-lashing any who dared cross his path.

Senator Soulé of Louisiana soon fell under Foote's wrath. "If we of the South submit to this degradation," exclaimed Soulé, "we are worse than slaves." "Who makes this charge?" quoth Foote. "Who is it that lectures the South and stirs up strife—who but an alien, a foreigner, a native of France. Sirs, this Senate needs no Danton, no Robespierre to dictate to it!"

The two Mississippians, Davis and Foote, were perhaps more often on their feet than senators from any other state. "Senators, Countrymen, Brethren, and all other terms, endearing and impressive I can call you," solemnly Senator Davis cautioned in one of his many appeals, "I warn you of the dangers of passing this measure and I plead for the preservation of this Union." Sam Houston hastened to reply and charged that Davis was a disunionist, that the Southern Address, fathered by Davis, breathed secession and that the recent anti-Union Mississippi Convention was dominated by Calhoun in his letter to Tarpley.

¹⁴ Stephenson, *Lincoln and the Union*, 6.

¹⁵ R. J. Walker's name was besmirched in the Texas bonus measure.

¹⁶ Much scandal may be found in Foote's *Caskets* and also in his *Bar of the West*.

"Sirs," said Houston, "the Nashville Convention was flagrant arrogance—submitting *ultimatums* and *sine qua nons* to the Congress of the United States! . . . In February last I placed my foot on this secession movement, I trampled down the monster."

Davis: The Senator seems to recollect very well when he first began this attack; he says it was in February.¹⁷

Houston: The 9th, I think.

Davis: It is not true that the character of that meeting was fashioned by Mr. Calhoun.

Houston: It is very strange that the Tarpley letter was at the convention and had no influence on its deliberations.

Davis: It did not arrive during the convention.

Houston: Was it not at the convention?

Davis: I understood that it was not.

Houston: I understood it was there, and had been received by Colonel Tarpley.¹⁸

"However this may be," said the good-natured Houston, "America is our country from ocean to ocean, from gulf to gulf. Let us stick to the Union; the Union is the tire to the wheel."

The California bill came up first in the Senate and on August 13 was adopted by a vote of thirty-four to eighteen. Not a southern Democrat voted for the measure, except Sam Houston. Four southern Whigs sacrificed themselves and voted "Aye." With scorn and contempt Jefferson Davis voted, "No." Each and every measure, except the Fugitive Slave bill, he attacked.

On August 13, New Mexico without the Wilmot Proviso, and the ten million subsidy bill, passed the Senate. On August 23 and on September 13 the Fugitive Slave bill and the bill abolishing the slave trade in the District each respectively passed the Senate. In the House, these measures were also adopted and on September 13 the great compromise was complete. There were now sixteen free states and fifteen slave states and Calhoun's "equilibrium" was destroyed—forever destroyed.

But not until Senator Davis had exhausted every resource to defeat the scheme, going to the verge of rudeness, and accusing southern senators of apostasy. He moreover injected dilatory motions—motions to adjourn, for a call of the House. and to refer

¹⁷ *Globe*, August 13, 1850.

¹⁸ Further investigation discovered that the letter was at the convention.

the credentials of the new California senators, Gwyn and Frémont, to the judiciary committee. Finally he filed a protest signed by himself and other stalwarts, which was so violent conservatives like Downs of Louisiana voted to reject it. The protest was tabled.¹⁹

In his annual message, President Fillmore gave high praise to the compromise measures. They were adopted, he declared, in a spirit of conciliation and the people in the main approved. In January a pledge was signed by about fifty members of Congress that they would support no man for office who opposed the compromise and no one who favored further slavery agitation. The slavery question had been settled and was out of the way. They insisted that the compromise of 1820 had taken care of all territory west of the Mississippi, except the latest acquisition, and the new compromise had provided for that. There could therefore be no room for agitation except by evil-minded persons—professional agitators or self-opinionated hot-spurs.

Early in the fall session a bill was offered which declared the compromise a finality. A long debate followed and a third time the matter was gone over. Senator Foote was flayed alive for reversing himself. Davis asserted that he had been the greatest of fire-eaters until he whipped around and posed as a Unionist to gain political power. But the old charges that Davis was at heart a secessionist and had really opposed any compromise, as shown in his Southern Address and in his protest, were also revived. Davis retorted, "I glory in being one of those who inflicted its death upon the Omnibus Bill. . . . We at least killed the Wilmot Proviso and enacted a stronger fugitive slave law." Meanwhile Hale, on the side-lines, enjoyed the breach in southern ranks and called frequent attention to "southern chivalry," as epithets were hurled and pistols and bowie knives glittered.

The new fugitive slave law was likewise much discussed. Several fugitive slave cases—the Shadrach and the Sims cases from Boston and some others from the West—were cited by radical senators, North and South. These cases, they claimed, proved that the law for the return of fugitive slaves could never be enforced; they had predicted as much and pointed out that the law would be a nullity unless sustained by popular sentiment, and so it had

¹⁹ *Globe*, August 15, *Appendix*, 1551.

turned out. Clay controverted these conclusions and maintained that the cases were exceptional and the law was working satisfactorily, except in Boston and a few other abolition centers.

Jefferson Davis insisted that the necessity for such a law at all was a reflection upon the good faith of the offending states. Every state had agreed to obey the Constitution which contained a proviso for the return of fugitive slaves; now northern states were violating their obligations. "If Massachusetts sanctions the action of the negro mob in Boston," he exclaimed, "she is already virtually out of the Union. Let her depart in peace; I would not give a dollar to coerce her back."²⁰

In the discussion of his protest and throughout the debate, Senator Davis had often been critical and censorious. He designated the last session of Congress as "the dark and disgraceful period of our history, the Iliad of southern woes. . . . The people will repudiate such ill-timed measures," he exclaimed. "The South will have none of it; she will lose self-respect if she submits to this degradation."

These utterances of Davis excited the excitable Foote, who denied that Mississippi opposed the compromise or favored secession. "On this issue," said he, "I challenge my opponent to meet me on the stump and if defeated I will resign my seat. I would scorn to represent the once glorious State of Mississippi should she enlist under the black banner of Disunion."

Davis accepted Foote's challenge and in September, 1850, resigned from the Senate—his second resignation in the cause of slavery. The first was to take part in the Mexican War and to extend slave territory. Now he was resigning to take the stump for slavery-extension and constitutional liberty. And his victory over Foote before the people of Mississippi seemed an easy one, the legislature having passed resolutions condemning that senator. In their opinion Foote was a turncoat, violating his constitutional obligations and misrepresenting the state. The only true representative in the Senate was Jefferson Davis.

During the remainder of the session, Senator Davis's demeanor was absolute confidence and complacency. Serenely he took issue with the lawyers and denied their ability to handle patent law unaided by the officers of the Bureau. Replying to Senator Dawes

²⁰ Wilson, II, 332.

who had said he did not believe Mississippi was in favor of dissolution, he exclaimed, "Who does? Who ever said Mississippi desired to dissolve the Union? Dissolution is an alternative, a last recourse, to which we will only resort when bound as freemen to surrender our inheritance. We will preserve the Union as it was formed and transmitted from our revolutionary sires. Dissolution will be the result of a violation of our Constitutional rights and we will not submit to usurpation and degrading aggression."

Davis opposed a bill setting aside lands to support the indigent insane; such a measure was beyond the power of Congress. Locking horns with Foote, he vigorously assailed the resolution to confer the title of Lieutenant General by Brevet on Scott, soon to be the Whig candidate for President. He assailed a resolution to appropriate funds to aid the American Colonization Society to colonize free negroes in Africa. Colonization he opposed on general principles and in the present case, Congress had no power in the premises.²¹

In January a resolution condemning foreign slave vessels operating between Brazil and the United States had come up. Senator Davis attacked the resolution. He declared slavery benefited the slave and insisted that this affair was no concern of Congress. In September, as we have seen, he resigned his office. Foote, however, held on and drew his salary throughout the approaching Mississippi campaign.²²

²¹ Rowland, II, 267.

²² *Globe*, Jan. 22, 1851; Feb. 11; Feb. 12; Feb. 15.

CHAPTER VIII

DOWN

Congress had now spoken, but how would the people react? Only the fall elections could tell, and though it was an off year in politics with no President to be elected, the issues furnished ample excitement. In the country at large the situation was indeed complex.

Radical abolitionists were deriding the Constitution, placing their anti-slavery creed above that "covenant with hell," berating the harlot slavery, and appealing to the higher law; radical advocates of slavery, professing to rely on the Constitution and to revere the Union but promulgating slavery extension *ultimata* that must result in disunion; Free Soilers, insisting that slavery was condemned by the Declaration of Independence and the spirit of the Constitution and, though protected in the slave states, not to be extended another foot.

And finally the conservatives—in the South usually Whigs and property owners. These men knew that slavery was a benign and kindly institution, not half as bad as painted, and yet an anachronism, mediæval and archaic. Its further extension they conceded was undesirable if not impossible. And they were greatly irritated at the conduct of extremists such as Yancey and Rhett, though they considered Calhoun and Davis, ready with addresses and pamphlets to puzzle the intellect, more dangerous. If Rhett and Yancey vocalized secession, they concluded that Davis formulated and categorized it.

"Why should Calhoun and Davis," Unionists asked, "run counter to the spirit of the age? Why should they pin the South to the academic demand of slavery-extension and the attempt to transport a nameless nigger into a nameless territory?" Based on the outworn dogma of state sovereignty and the indivisibility of sovereignty, slavery-extension was a mere chimera—an abstraction.

Judge Badger, the North Carolina Senator, was a type of the

conservative of the Border States. "Secession!" exclaimed Badger. "Sir, there is no such thing. If war come it will be revolution"—a doctrine Badger had learned at the feet of Webster, Clay, and Thomas Corwin. "How is it possible," thoughtful people were asking, "for state sovereignty to have survived the centralizing changes of three-quarters of a century? Long ago America ceased to be a Confederation and grew into a Nation, the greatest Nation known to man—though many members, one body."¹

"Admit Mr. Davis's premises," said the Whigs, "that sovereignty is indivisible and that no one of the thirteen states has granted away its sovereignty, how does that affect the case? Eighteen new states have been since created—much larger than the original thirteen—and they were never sovereign, certainly not until the United States blew into them the breath of life. Is the creature greater than the creator?" In a word, as Webster, the mouthpiece of the Whigs, urged, slavery extension was based on a dogma, narrow and cramped, and lacking in historical perspective.²

Furthermore, the conservative slave owner understood that the real protection to his slave property was the Constitution and the Union, and that the Constitution was the rock under which slavery was hiding itself. "Destroy the Union and that moment you destroy slavery." This was good old Whig doctrine. Or, as the Whig press was saying in condemnation of disunionists, "We are heartily sick of this everlasting twaddle about the South—the South—that word of talismanic charm with southern demagogues . . . In the name of dignity and self-respect, let us forbear against further gasconading."³

It was with this complicated situation, Jefferson Davis and Henry Stuart Foote, rivals for leadership in Mississippi, had to deal. And nowhere was the issue between the unionists and disunionists, between the secessionists and submissionists, more sharply defined than in Mississippi. Since the fisticuff between Davis and Foote, several years before, "party rancor had flamed into personal hatred, which neither time nor circumstance could mitigate."⁴

¹ Cole, Chap. VI.

² Merriam, 337.

³ *North State Whig*, Feb. 6, 1850; *National Intelligencer*, March 11, 1850.

⁴ Davis, R., 315.

The Democratic legislature had provided that an election be held on the question of convention or no convention and it was understood that such convention, if called, would be the first step in secession and that Mississippi would no longer submit to the laws of the United States.⁵ In June, 1851, the Democratic convention met to nominate state officers and to back up the movement for a convention. It favored immediate secession, and prepared an address which was passed on to Senator Davis for supervision. The Senator, then sick and in bed, toned down the paper. He opposed immediate secession under existing circumstances, and advocated delay. That is, he would postpone secession until the South was united.

He was not for secession until secession would succeed. It was certainly no time to secede when the Nashville Convention was lukewarm, only two or three southern states in attendance, and when southern congressmen were divided on slavery-extension. The stalwart Democratic party went bravely forward with Senator Davis's program, which called for a Mississippi convention that "would invite a general convention of all the slave-holding states." This general convention "would demand that slavery be recognized in the territories." If this demand was granted, that ended the matter; otherwise there would be secession.⁶ The party changed its name from the Democratic party to the State Rights party and nominated General Quitman, an out-and-out disunionist, opposed to any delay or cooperation, for governor.

After the convention adjourned, the executive committee proceeded to flood the state with circulars, addresses, speeches of congressmen, and other documents warning the people "that a yawning gulf of degradation was in front of them." It likewise placed in every Mississippi home the Southern Address in which the horrors of emancipation were depicted, particularly to the poorer classes. "When the abolitionists set free our negroes they will come in competition with the white labor and social and political equality will result."⁷

The year previous, Governor Quitman had backed with money and influence an expedition to liberate Cuba from the tyranny of

⁵ Dodd, 127; Lowry, 161; Davis, R., 321.

⁶ Rowland, II, 81.

⁷ The *Mississippian* went to every home. Davis, R., 352.

Spain and to annex it to the United States. Lopez, a Cuban patriot, was the organizer of this filibuster movement. He had tendered the command of his forces to Colonel Jeff Davis, but Davis, though sympathetic, had declined the place. When Spain protested against the activity of Governor Quitman, President Fillmore ordered his arrest for violating the neutrality law. Quitman resigned his office, was tried in the United States court at New Orleans and acquitted, becoming the hero of song and story. He was now seeking vindication at the hands of the people.

Meanwhile, Foote had not been idle. Upon his arrival in Mississippi, he found the legislature which condemned him had not adjourned. Forthwith, he issued a call for a convention of the people to meet with him at Jackson when he would explain his course as their Senator. The convention met and sat at the same time the legislature was in session. Foote addressed them in an harangue such as only he could make. He justified his course in the Senate, charged that Davis was plotting to destroy the Union, and to gratify a long cherished ambition to be president of a southern confederacy. He quoted Davis's utterances in support of this charge, and particularly he called attention to the Quitman-Davis secession banquet.⁸ Foote's "gorgeous imagery and splendid diction" swept everything before him.

Whigs and Union Democrats lost no time in nominating the bold, self-assertive Foote for governor against Quitman.⁹ Clay and Webster extended their blessings and Sharkey, Mississippi's greatest jurist, actively supported Foote. The real issue before the people was convention or no convention, Union or Disunion. In the convention Davis sat as close to Foote as he could while the latter made his opening address. The two canvasses ran along together though the convention was to be voted on in September and the governorship in November.

A joint debate between Foote and Quitman was arranged, and several discussions took place. Quitman, whose style was poor and flat, proved a mere tyro in Foote's hands; and he was held up to ridicule and to universal derision. The joint discussion finally wound up in a fisticuff between the candidates. The triumphant Foote thereafter spoke alone and Quitman made the mistake of trailing along behind and speaking several days after Foote

⁸ Rowland, II, 145.

⁹ Davis, R., 317.

had left the stump. The "secession" movement, as it was called, was defeated by seven thousand votes, and Quitman retired from the race.¹⁰

The Democratic party was now in a bad way. The secession issue had gone against it, Quitman, its candidate, had been run off the stump, and September was well advanced. In six weeks the election for governor would take place. What should the party do? Undoubtedly, turn to Jefferson Davis, who had formulated the platform and who would have been nominated at the convention in June had he not declined in Quitman's favor: the masterful Davis, "about whom there was something which captivated the imagination and exalted him into a hero, making him dearer than all others to the popular heart. . . . His persuasive utterance, indeed, when he spoke, moved the hearts of the people as the wind moves the trees of the woods."¹¹

But Jefferson Davis was in no condition to enter the contest; he was now a sick man. After leaving Washington in September, he and his wife had come down to Jackson, where the Senator posted himself on Mississippi politics since he was last in the state. During the month of July, 1851, he entered the canvass and advocated the calling of the convention. This canvass was *ex parte* and not joint, and in the course of a few weeks of exposure to the summer sun, Davis was overcome, and fell ill of malarial fever.¹² It was the old story, the man was frail and unequal to the task. Giving up the canvass, he "was carried to the home of kind and self-abnegating friends, where his left eye became acutely inflamed and the cornea was threatened with ulceration." His suffering was intense. "For three weeks he slept all day and walked through the house all night."

It was during the period of recovery that the executive committee named Davis as candidate for governor in Quitman's place, coming down to his sick bed to consult him as to an address about to be issued. The convalescent accepted the nomination and toned down the address so it opposed secession "under existing circumstances." When it became known that Davis had accepted, Foote issued a challenge inviting him to a joint debate. Davis declined

¹⁰ Garner, 3.

¹¹ Davis, R., 321.

¹² *Memoir*, I, 469.

and pleaded ill health,¹³ but about three weeks before the November election took the stump alone, canvassing in his own behalf. Thin, emaciated, and wearing green goggles, his appearance was not prepossessing, nor was his canvass a brilliant one. Failing to meet Foote on the stump was also a great handicap.

Up and down the state the irrepressible Foote went, charging that Davis was a disunionist and a secessionist. Often he sneered at his opponent and called him "General Davis." "Where is General Davis?" he would dramatically ask. "In the Senate I challenged him to meet me face to face before the people of Mississippi. He accepted the challenge. Where is he now? I do not know where he is *now* but I do know where he was in Washington during the late compromise debates: in the same truckle-bed with Seward and Chase and Hale, the abolitionists! . . . While Clay and Webster, with my humble assistance, were standing shoulder to shoulder for the Union, General Davis and northern radicals were hobnobbing to break it up."¹⁴

Foote did not fail to call attention to the victory of the South in the recent compromise legislation. The Wilmot Proviso had been defeated—forever killed and buried; Root's motion to apply the proviso to Utah and New Mexico had been tabled—tabled by the votes of northern men, staunch friends of the South.¹⁵ Slavery in the District remained untouched though the radicals had sought to abolish it, and, finally, an efficient fugitive slave law had been passed protecting southern rights.

Davis was defeated for governor by a scant thousand votes, a tribute indeed, showing the esteem in which he was held by stalwart Mississippians. But Foote, the gadfly stinging Davis almost to death, was the Governor of Mississippi and would fill that position during two long years.

In the campaign, Davis had made the best of a bad bargain. He was wise to decline a joint debate. He could not have stood up before Foote, "the best stump speaker then living." Without humor, wit, or imagination, Davis could not move the crowd to frenzy.¹⁶ His speeches were legal briefs, except when he touched

¹³ Dodd, 128; *Mississippian*, October 11, 1850.

¹⁴ Mississippi newspapers of this date.

¹⁵ Wilson, II, 30.

¹⁶ Montgomery, 9.

on northern aggression and southern cowardice and submission. At such times his fine eyes flashed and burning words poured from his lips. He likewise wrote more than he spoke, filling the papers with interviews and explanations of his course in the Senate.¹⁷

Many open letters had been addressed to him asking this question: "Do you favor secession now?" His invariable answer was, "No, not under existing circumstances." But this denial was followed by an explanation which made it almost an affirmation. "I defy any man to come in my presence and charge me with advocating secession . . . I do not favor secession, but this I say, if the South possesses the power to enforce her constitutional rights, it must be elsewhere than in the halls of Congress or at the ballot box."¹⁸

"You ask me what I advise Mississippi to do at this time," he wrote upon another occasion. "My answer is, arm and make preparation. Call a state convention this fall, to be followed by a general southern convention. Demand our constitutional rights—equal protection of slavery in the territories. If these rights are conceded, we will live together in tranquillity; if denied, I advocate a manly fight. . . . Shall we bow to degradation? Are we to have slavish submission to northern aggression?"¹⁹

The effort which Quitman and Davis made, in 1850 and 1851, to set on foot a secession movement in Mississippi had its counterpart in every slave-holding state. Undoubtedly by preconcert, from Richmond to Galveston embryo-secessionists were busy, the plan being slavery-extension or disunion. General Reuben Davis, who opposed Foote and advocated Jefferson Davis for governor, sheds light upon the situation in Mississippi at that time. "Many Democrats voted for Foote," says Reuben Davis, "believing the issue involved disunion of the states, and was the first step in that direction. *Time showed that they were not mistaken.* The party was defeated, but strengthened by defeat. From that defeat the party concentrated all its energies in one direction and became despotic. Everywhere the cry was, 'Obey or quit the camp!'"

And everywhere the effort to fan the flames of disunion failed.

¹⁷ *Monroe Democrat*, June 4, 1851; Rowland, II, 88.

¹⁸ *Fort Gibson Herald*, November 29, 1850.

¹⁹ *Woodville Republican*, Nov. 19, 1850; *Mississippi Free Trader*, Nov. 30, 1850.

In the main, the American people, North and South, endorsed the action of Congress. Here and there a radical was elected to the National House. Sumner of Massachusetts and Ben Wade of Ohio, for example, were elected to the Senate. But by and large it was the day of conservatism and peace. The compromise measures were declared and were a "Finality," particularly in the South.²⁰

In Georgia a notable Union victory was won, Robert Toombs and Alexander H. Stephens doing good work for the Union. In Alabama, the redoubtable Yancey entered the race one time too often and was defeated for Congress. At a later date, an Alabamian signing himself Nathaniel Macon wrote an open letter to Charles O'Connor, maintaining that the only security for slavery lay in the Constitution and the Union.²¹ In Florida, the time-serving Youlee, whose real name was David Levy, was defeated for the Senate. In the cultured and spirited commonwealth of South Carolina, a war of pamphlets was fought, presenting the literary side of the issue. In this contest conservatives won.²² In the Border States, the victory for conservatism was more than satisfactory, and on the whole peace smiled on the country and a brighter day seemed dawning.

Jefferson Davis was now a stranded politician, a statesman without a job. Would he submit to the will of the people? Acknowledging his error, would he cease to agitate slavery-extension and kiss the rod? Undoubtedly a man of less fortitude would have yielded, for everything seemed black before him. His health was bad, his means limited, he had no genius for friendship. Aside from the Joneses in the Northwest, Franklin Pierce of New Hampshire, Caleb Cushing of Boston, and T. H. Drayton of South Carolina, he had few attached friends. From his unbending brother Joseph he was estranged, and the very roof that sheltered him belonged to another—Joseph had never given him a deed for Brierfield. Though he had none of these things, however, Jefferson Davis had an unconquerable soul.

Moreover, he felt that his cause was just and must finally triumph. His philosophy was that of caste and inequality. He

²⁰ Cole, Chap. VI.

²¹ Merriam, 58.

²² Charleston Public Library—Pamphlets by W. J. Grayson, B. F. Perry, W. A. Owens, Isaac M. Hutson, and numerous others.

asserted that men were not equal, but "that some were fit only for the hard toil of the field, while others were plainly designed for the easier task of managing and directing the labor of others." Under this philosophy he asserted that planters were prosperous, the "mudsills" contented, "and the slaves the happiest of living men." ²³

Senator Hammond's "mudsills" speech, to which I have just referred, was made while he was constructing a dam in a boggy South Carolina low-ground. The Senator was forced to dig deep for a solid foundation on which to place his mudsill—the mudsill being a large heavy log.²⁴ Returning to the Senate, Hammond made use of the experience and contrasted the "miserable white slaves" of the North with the happy laborers of the South.²⁵ "Our working classes," said Hammond, "have the requisite vigor, docility, and fidelity, and constitute the very mudsills of society and political government."²⁶ Whether Hammond's mudsills were poor whites or slaves is now uncertain, some historians claiming the reference was to slaves. At the time, however, the allusion was clear. Andrew Johnson construed the words to mean poor whites, and Jefferson Davis declared that "nowhere else will you find every white man superior to menial labor."²⁷

A learned author has recently asked a searching question: "Is not every civilization bound to decay as soon as citizenship penetrates the masses?"²⁸ Undoubtedly the answer of Jefferson Davis, as disclosed in his philosophy, would have been "Yes." Davis, indeed, would have agreed with certain of the wise ones of our day that brains and culture only should rule and that the "dregs" are of no value,²⁹ and that the North, in its attitude towards the South and towards slavery, "undermined the foundations of freedom."³⁰

²³ Dodd, *Cotton Kingdom*, 70; Fitzhugh, 257; Scherer, 240; Hollis, 145-212.

²⁴ Senator Hammond's grandson furnishes this fact.

²⁵ Savage, John, *Andrew Johnson*, 68, N. Y., 1866.

²⁶ *Ibid.*, 64.

²⁷ *Globe*, 916-17; February 29, 1860; Phillips, 339; Beveridge, II, 4; Connor, II, 151; Rhodes, I, 382.

²⁸ Rostovtzeff, 487.

²⁹ Buchholz, 5; 383.

³⁰ Hollis, 212.

CHAPTER IX

LYING IN WAIT

After a long absence the Jefferson Davises returned to Brierfield. A few years before, James Pemberton, their trusty slave overseer, had died and the plantation was therefore in a state of sad neglect. There had been no caretaker and only one untrained negro woman to look after the residence.¹ When Mrs. Davis began the work of rehabilitation, she found it quite an undertaking. As she was opening up the house, the negro girl exclaimed with genuine sympathy, "Lawd, Missus, 'tain't no use to talk, what ain't broke is crack and what ain't crack is broke."

Life in their remote primitive home moved along quietly and happily. The Mississippi washed the shores of Palmyra and a thousand steamers rushed to and fro, their shrill whistles startling wild fowls and beasts and their brilliant lights piercing the dense jungles. The mail packet came twice a week, bringing newspapers, magazines, and news of the great world beyond. Only occasionally would visitors call and these never included the Joseph Davises—Hurricane and Brierfield were not on visiting terms. In vain had brothers, sisters, nephews, nieces, and cousins sought to reconcile the stubborn Joseph and the equally stubborn Jefferson. The rock breaks; it never bends.²

Mrs. Davis was a fine horsewoman and accompanied her husband each day as they cantered, astride the fast Davis horses, up and down the lovely valley. The races, as Mrs. Davis writes, were rather even, as there was only thirty seconds difference in the speed of the horses. "Nothing could be more pleasant than the dense shade through which we could ride for miles, in air redolent of the perfume of the moss, flowers, wild crabapple and plum blossoms."

The garden was a delight, yielding choice vegetables the year round. The soil of Brierfield was so fertile "golden-rod would grow large enough for a heavy walking stick, the heads of the blooms

¹ *Memoir*, I, 474.

² 55, Mississippi Reports, 700.

resembling banks of gold." Trees, ornamental shrubs, roses, and sunflowers were planted by the loving hands of the returned occupants. "In every slough the lotus with its lemon-colored chalices covered the surface, their green leaves nearly a foot across."

Golden days for man and wife. For Mrs. Davis days of sunshine and of love, for she was now thrilling with the joy of expectant motherhood. In June, 1853, their first-born came, Samuel Davis, named for the stern old captain, Jefferson's father. Of course there were rounds of visits to the kinsfolk to show the new baby.

On the whole, and despite the political activity of Mr. Davis, which I shall presently refer to, this open life on the plantation was a real rest and satisfaction, restoring him to vigor of body and mind. Though the left eye was almost blind, the acute trouble had disappeared and he was now in his usual health. What a delight it was as master and mistress worked together in the garden, or at night sat before an open fire, reading the news of Washington and the literature of all ages.

But there was work to do: the slaves, of whom there were perhaps thirty or forty, needed patriarchal care; the sick must be looked after, the old and feeble provided for. Cloth must be spun, clothes made, shoes got ready for the winter; mules and farm horses were to be shod; the race-horses, a dozen or more, carefully groomed; wagons and buggies repaired; the poultry-establishment, the dairy for family use, supervised, and grunting hogs and a few cattle kept in order. The larder must be supplied with food for whites and blacks; the blacksmith shop, the wood-working shop, the gin, the stables, the barns, the cabins, the Great House, and all other appurtenances of a plantation of eight hundred broad acres were to be kept in repair. An endless task, to be sure, calling for forethought and judgment.

Jefferson Davis's dealings with his slaves were kind and considerate. It could not have been otherwise—good manners would have tolerated nothing less. It was a rule without exception that no decent master should wantonly punish his slaves or separate families. "They are usually northern men," said Jefferson Davis, "who come in our midst and make the dealing in slave property a business." A statement quite true till the Border States began to raise young slaves and sell them in the market like other live

stock.³ "Fortunately slaves had no family ties or emotions, evincing no grief at separation."⁴ In a word, the dictates of humanity and the principle of *noblesse oblige* governed the best slave owners—they being all powerful and their slaves helpless.

Furthermore, the financial interest of the master was a controlling factor. A first rate negro fellow, sound in wind and limb, if a skilful mason or carpenter or overseer, would bring more than a thousand dollars. Such an animal was worth looking after and entitled to the best care. A plantation, therefore, was a kind of a sanatorium on a large scale, and often an expensive one.⁵

Medical attention was provided, hours for retiring and rising were fixed, and the food though plain was wholesome and not poorly balanced. Each slave family had its garden and planted potatoes, cabbage, corn, beans, and melons. Occasionally pigs and chickens were raised, to be eaten or sold at the will of the owners. The master supplied meat, meal, molasses, and often coffee. Never, perhaps, was there a race with whiter or finer teeth than the southern African, as may be seen at this time, due to regular lives and the absence of highly seasoned food. The census table of the 1850's discloses a larger increase of negro population than white and, I may add, the death rate among slaves in 1860 was lower than among the freemen of 1880.

On the Davis plantation, as elsewhere, slaves were expected to be early to bed and up betimes. From April to July, they worked quite constantly and under the eye of the overseer, but during the other eight months they had little to do. The crop was planted in April and housed in September, leaving six months or more of idleness given over to fishing, chasing the rabbit, trapping birds and wild "varmints." Unlike the slaves of Egypt, Greece, and Rome, southern slaves were required to build no pyramids, no public roads, no aqueducts, no great monuments. Indeed, it must be said that if mere physical pleasure and freedom from care constitute happiness, the southern slave was happier than his solicitous master.

On the old plantation, August was the jubilee month. In August the crop had been laid by and there was no work. The weather

³ *Globe*, September 10, 1850, *Appendix*, 1641.

⁴ Rhodes, I, 320.

⁵ *Memoir*, I, 316,

was just hot enough for camp meetings, when the slaves got religion, ate water-melons, drank cider, and indulged in a general frolic. Christmas was the holiday of holidays and Easter was duly celebrated.⁶ At Christmas and also on the occasion of the birth of a young master, the house servants were as saucy as the King's jester or Wamba in *Ivanhoe*, overrunning the plantation and filling the air with rude congratulations and shouts of joy. Mrs. Davis gives a picture of such a scene.

"When our first child was born," she writes, "every negro on the plantation, great and small, came up with little gifts of eggs and chickens and a speech of thanks for the birth of a 'little massa to take care of we and to be good to we,' from the year-old glossy little tot with an egg in his fist to the old women with a squawking hen or a dozen large yam potatoes in their aprons. The men looked lovingly on at a distance, but the women each took a kiss. One lifted up the little rosy fingers and said, 'De Lord, honey, you ain't never gwine work—your negroes gwine do all dat for you.'"

Truly a primitive, happy-go-lucky, impossible and wasteful existence, as Jefferson Davis soon discovered to his sorrow. Year after year his plantation yielded less and less and his net earnings diminished. And even these earnings he invested with little discretion or judgment, on one occasion lending fourteen thousand dollars and taking a worthless mortgage on twelve or fifteen slaves.⁷

A singular custom prevailed both at Hurricane and Brierfield. The Davis brothers in their early intimate days had undertaken to throw the responsibility of keeping order upon their slaves. A rough judicial system was inaugurated. When a crime occurred, there would be a jury, some venerable negro preacher presided as judge, and the culprit had a trial by his peers. The master reserved the right to reverse or change the verdict in any case.

Financial matters at Brierfield were as primitive as domestic. Every monetary transaction was cleared through a commission house. Jefferson Davis's commission merchants were Payne and Harrison of New Orleans. When in need of funds, Davis simply drew his sight draft on them and these drafts were paid and charged to his account. By the fall of the year, the balance against Brierfield would be large, sometimes five or ten thousand dollars. But cotton would then begin to move and steamers loaded with

⁶ Fish, 27.

⁷ Rowland, II, 183.

hundreds of bales would reach New Orleans. Thus the account would be wiped out and a new account opened for the next season. Scorning to inspect or correct the account of his commission merchants, the imperious landlord paid interest at any rate, often as high as ten per cent.

JEFFERSON DAVIS IN ACCOUNT WITH PAYNE AND HARRISON
NEW ORLEANS

Balance on account	\$8163.50	
Feb. 7, 1851, by 206 bales of cotton . . .		\$5384.49
Balance due	2779.02	2779.02
	<hr/>	<hr/>
	\$5384.49	\$8163.50

(Davis MS. at Washington)

Thus passed the happy days at Brierfield; its master never idle, never indulging in dissipation. Jefferson Davis had no time for trivialities, no time for friendships. The burden of the South and its grievances bore too heavily upon his shoulders. And the burden of Henry Stuart Foote. Foote, the turncoat, had upset all plans. When Davis resigned from the Senate, he had no doubt of an immediate endorsement and a reelection to fill out his own terms. But Foote had interfered. With lies and slanders and a combination of misguided Democrats and Whigs, Foote had routed him. Davis's wrath against Foote was therefore great, but his humiliation was greater.

What a spectacle the people of Mississippi had made of themselves—and of him! The greater the reason for biding his time, swallowing his wrath, and sinking all lesser issues into the greater. Foote must go. Expose and defeat Foote and two years hence Davis would go back to the Senate and take up his great work for slavery-extension, for the Constitution, and for a mighty Confederacy. To attain this end, he was willing to forgive and to forget. The conciliation of Democratic bolters, therefore, became his immediate object.⁸

And almost immediately the emotional and imprudent Foote

⁸ General Claiborne's life shows Quitman's disgust that the Democratic party should be pursuing Foote instead of following principle. Claiborne, *Quitman*, II, Chap. XVII; Jefferson Davis's tribute to Quitman, *Globe*, Jan. 5, 1859.

played into his hands. Soon after Foote's election to the governorship, he returned to Washington and took his seat in the Thirty-second Congress which met December 1. There he strutted around as the hero of the hour, the vanquisher of Jefferson Davis, and the preserver of the Union. This he did though he had at first cooperated with the secessionists, joining in their address of 1849 and in calling the Nashville Convention. In a debate on the Finality Resolutions, which he had offered, Foote made an assault upon Davis, reiterating the charges of a conspiracy to disrupt the Union. Southern senators called Foote down and reminded him that Senator Davis was not present to defend himself.

Foote likewise espoused the cause of the patriot Kossuth, touring America and urging aid and intervention in behalf of oppressed Hungary. "Freedom or despotism is the cause," screamed Foote, advocating the cause of Kossuth. "Those who are not for freedom are for slavery!"

Now Foote's new-found zeal for freedom was music to Jefferson Davis's ears—more especially as southern senators were charging that Senator Foote had turned into an abolitionist.⁹ Kossuth's visit, they insisted, was anti-slavery propaganda, a mere trick of the abolitionists. Often the same mail that brought to Brierfield Foote's attack on Davis, or his laudation of Kossuth, brought startling accounts of riots in northern cities, when slave owners were prevented from arresting their run-away slaves, and also exciting debates on these disturbances.

Two new senators, to whom I have referred, had appeared in Washington: Sumner of Massachusetts and Wade of Ohio, stalwart out-spoken men, often unscrupulous, with whom the end justified the means. Devoted abolitionists, but more devoted party men, Sumner and Wade injected new life into the cause of slavery-restriction and abolition. Though these radical senators strengthened the arms of Chase, Seward, and Hale, and solidified the North, they also played into the hands of Jefferson Davis and unified the South.

Soon after taking his seat, Senator Sumner offered a resolution which would nullify the fugitive slave act or stop the very wheels of government. To the pending appropriation bills, he opposed this rider: "No portion of the funds thus raised shall be used for

⁹ Rhodes, I, 242. Rhodes here misses Foote's point of view.

the purpose of catching or returning fugitive slaves." Senator Butler, interrupting Sumner, desired to know if the Senator from Massachusetts would obey the fugitive slave law and restore a run-away slave to his rightful master.

"No!" answered the scholarly ideologist. "Never! Is thy servant a dog that he should do this thing! . . . Be admonished, Sirs, by the words of oriental piety: 'Beware of the groans of the wounded soul, oppress not to the uttermost a single heart, for a solitary sigh has power to upset a whole world. . . .' Slavery! It is a crime against heaven and against God!"

Instantly Clemens, the Alabama Unionist, who had sacrificed much to keep down discord, was on his feet, begging no one to reply to Sumner. "The ravings of a maniac may sometimes do harm," said the exasperated Clemens, "but the barking of a puppy never did any harm."¹⁰

Though Sumner's resolution was defeated by a vote of forty-seven to four, his words reverberated from Boston to New Orleans. And Jefferson Davis was well pleased. That which he had failed to do was being done. The hearts of Mississippians were becoming hardened and they were getting ready to fight. In Congress, Thad Stevens and Giddings, Chase, Hale, Sumner, Wade, and Seward; in fiction Mrs. Stowe; on the platform, Lowell, Wendell Phillips, and Theodore Parker; in the press, William Lloyd Garrison—these were Jefferson Davis's side-partners, all working together to the same end.¹¹ "Destroy the accursed Union or give us freedom," said radical abolitionists. "Destroy the Union, or give us slavery under the Constitution," said Davis.

Mrs. Stowe had no sooner scanned the drastic fugitive slave law than her soul was moved to give the world its most realistic and stirring problem romance, *Uncle Tom's Cabin*.¹² The *Liberator* was sounding a note in freedom's cause which increased as it spread. The genius of poetry was encircling the brow of liberty with a halo visible to the ends of the earth; Freedom was becoming incarnated in the humble, patient, unfortunate African—"God's image in ebony." And with these rough, elemental forces of destruction, Davis was cooperating. "Either obey the Constitution

¹⁰ *Globe*, Aug. 26, 1852.

¹² MacDonald, 390.

¹¹ *Ibid.*, 641-47; Feb., 1852.

and extend slavery into the territories, or let the Union be dissolved," he was insisting.

But in order for him to enter into national affairs again, there was a task nearer home; Foote must be got rid of. During the late campaign, Davis had been ill and unable to show up Foote in his true colors. But now he was vigorous again and ready for the contest. On January 8, 1852, Foote resigned as Senator and became Governor of Mississippi. On the same day, the Democratic state convention met, but no longer the arrogant State Rights party of the previous year. Then, Governor A. G. Brown was exclaiming, "So help me God, I am for resistance," and Davis was making similar statements.¹³ Now the situation was changed. Chastened by defeat and by Foote's castigation, State Rights men were humble and willing to yield a point. As the lesser of two evils, they would not only cooperate with the bolters, but with the National Democratic party, and this Davis was advising.

The stalwart Quitman and his followers, though few in number, resisted this conciliatory course. Going before the convention, Quitman insisted on a repeal of the compromise measures or immediate secession. But Quitman was out-voted and Davis and his party prevailed. "Overthrow Foote," became the campaign slogan. Foote's overthrow was the *sine qua non*; other things could wait. Now it must not be thought that Jefferson Davis had changed his views on slavery-extension or secession as a last resort. He had not changed a particle; he agreed throughout with Quitman. "Under existing circumstances," however, he considered secession unwise. Later, he would insist on disunion, but not now.¹⁴

At the convention Quitman first spoke and was followed by Davis, delegate from Warren County, and the returned leader. Never was Jefferson Davis in better form and never a larger or more intelligent assemblage of Mississippi Democrats. The defeated chieftain had weighed every thought, deftly chosen every word, and moulded every sentence. He would abuse no one—no one but Foote. Foote should be the scapegoat. Foote, "the

¹³ *Mississippi Historical Society Publications*, XCV.

¹⁴ "I agree with General Quitman in all his principles," he later said. *Globe*, Jan., 1859; "Eighteen hundred and fifty," he exclaimed. "It is that dark period for southern rights." *New York Tribune*, Aug. 31, 1859; Speech at Jackson, July 6, 1859.

changeling by nature, the changeling by choice," as Davis described him.

"Fraud and falsehood, Free Soil and Foote and Fillmore," Davis alliterated, goaded by a speech Foote had made the evening before at Jackson. Foote had then exclaimed, "I defy and denounce the Secession Democratic party. . . . They must die, willingly and with decency, or they may struggle on, but die they must and die they will! Their putrid political carcasses shall yet lie about the state in heaps, like piles of chickens in the streets that have died of the gapes!"

With this banter and braggadocio of Foote's ringing in his ears, Davis appealed to his party associates, as one brave man to another. He urged them for their country's good to bury personal feelings and to "let no man's disappointments obstruct Democratic conciliation and harmonious cooperation."¹⁵

He commended the recent effort to liberate Cuba, approved the filibustering expedition of Lopez and Quitman's part therein; he berated President Fillmore for permitting Cuban patriots to be executed without a protest. "I would feel myself disgraced if, as Foote, I had endorsed such an administration," he said. Referring to disunion and secession, he declared, "they were the last resort and the assertion of a right was no evidence of an intention to exercise it." "Our resolutions of last June," he explained, "implied that there should be no secession, under existing circumstances." Again referring to Foote, Davis called him a demagogue, and asserted that the man had been thrown to the surface, "like dregs from the bottom of the pool, by such violent agitation as mingles heterogeneous elements; and like them must sink to the bottom whenever quiet is restored."

After thus disposing of Foote, Davis indulged in a bit of buncombe—flaunted his efforts to repudiate the Union Bank bonds as a virtue. "Two of the misrepresentations of me," said he, "are specially false. First, that I have declared I will not support the National Democratic ticket; second, that I have said I was going to purge the party of those who had taken grounds against it in the pending controversy. Now these statements are false, but not more false than the assertion previously made that I had in 1843 been the advocate of the Union Bank bonds."¹⁶ Senator Davis's

¹⁵ Rowland, II, 125.

¹⁶ *Ibid.*, 119.

speech did much to draw the warring factions together, and but for its reference to repudiation, was a strong presentation of his cause.

But Governor Foote was not silenced. In a few days he published in the *Flag of the Union* a scathing reply addressed to three prominent Unionists. This letter offered proof of Foote's secession charges against Davis. A long-drawn-out, undignified newspaper controversy followed, illustrating Doctor Holmes's description of such affairs. It was the hydrostatic paradox of controversy: participants in newspaper controversies, like water, always finding a common level.

The enraged contestants demeaned themselves and derided each other. Davis called Foote a liar and insisted it was not Foote's character he was attacking, but the want of it. Foote was "as full of intrigue and selfishness as he was destitute of truth and principle." Now Foote, being the Governor, could not answer Davis in the usual way among gentlemen, with a challenge; he, therefore, paid him off in billingsgate. Senator Davis had pocketed five hundred dollars in mileage while attending the special session of the Senate in 1849. This was "constructive mileage" and contrary to law. Davis was therefore little less than a thief! To this Davis countered that Foote's mileage bills were padded; Foote had collected more mileage by a thousand than the distance travelled by him. The controversy ended in Foote's utter rout.

In truth the tables were turned since the campaign of 1851. Then Davis was ill; now he was well and aggressive. Then Foote was the attacking party and Davis defending; now Davis was attacking and Foote defending. Furthermore, Davis now had a compact fighting organization behind him, the Democratic party, whereas Foote's combination, always incongruous, was splitting to pieces.

As the next campaign approached, it was plain that Foote could not stand up against the reorganized Democracy. Neither Whig nor Democratic, he would fall between two stools and be repudiated. In December, 1853, he was defeated by the legislature for the Senate and in a rage resigned his office. In January, 1854, he moved to California and thence to Tennessee, where his career was more spectacular and erratic than it had been in Mississippi. Quitman was as disgusted as Foote, insisting that the party had de-

sented its principles to pursue Governor Foote. So far as he was concerned, the Democratic party was no better than the Whig. Though Davis was his candidate for President, "if Democracy was to retain power by striding this centaur hobby with abolition head and southern tail, it had better be unhorsed."¹⁷

Returning to Brierfield and resuming the pleasant life of a planter, Davis began a correspondence with northern associates who had written him they knew the rumors that he favored immediate secession were false. Davis assured them he was not for secession, under existing circumstances, and that his position in the late canvass was the same as in the Senate. "I was defeated," he explained, "by an unholy alliance and I am sure that those honorable Whigs who entered the unlawful combination against me must blush to possess

'The spoil from such foul foray borne.'"¹⁸

On June 1, 1852, the Democratic National Convention met in Baltimore, but Jefferson Davis chose not to attend. The platform was the lion in his pathway. He had yielded as much as he proposed to yield. He was not going to endorse the compromise measure and call it a Finality—that was a dead-line of degradation he would not cross. In the absence of the old leaders, Davis, Foote, and Quitman, lesser lights in Mississippi affairs, Jacob Thompson, Governor McWillie, and William Barksdale, attended the Convention. The leading candidates were Buchanan, Cass, Douglas, Marcy, and Houston. It was well understood that the Democratic party would win, as it was less disrupted by recent events than the Whig party. But the platform needed careful attention.

Buchanan, a northern man with southern principles, having a long record in the cause of slavery, was the favorite. But after five days, it became plain that none of the leading candidates could overcome the two-thirds rule. On the forty-ninth ballot, Franklin Pierce, of New Hampshire, a well-groomed though it cannot be said a "dark horse," stampeded the Convention, on a break to him by southern delegates. Pierce was an ideal, colorless candidate. A refined gentleman of mediocre ability, he was very religious and

¹⁷ Claiborne, *Quitman*, 167.

¹⁸ Rowland, II, 107; *Mississippian*, March 17; *Flag of the Union*, Jan. 30; *Southern Press*, Feb. 12; *Mississippi Free Trader*, Feb. 11.

very fond of brandy. He had been a second-rate general in the Mexican War, a member of Congress, and a United States Senator.

The platform was more troublesome than the candidate and therefore was not written until after the nomination. What should be said about the compromise measures? Would the belligerent pro-slavery South stand for a Finality plank? Moderate councils prevailed. The platform pledged the party to the support of such a provision. Nor was there to be any further agitation of slavery. Thus did the Democratic party steal the Whig thunder and endorse Henry Clay, then on his deathbed in Washington City.

Later in the same month the Whigs met, also in Baltimore, and nominated General Scott and William A. Graham, Fillmore's Secretary of the Navy. Other candidates were Fillmore and Webster. The platform declared the compromise to be a Finality. The Whigs were at a disadvantage from the beginning of the campaign. It was charged that Scott opposed Finality and was at heart a Free-Soiler, and had been nominated by the aid of Seward.¹⁹ Furthermore, Scott was unacquainted with politics and was so self-assertive he had acquired the sobriquet of "Old Fuss and Feathers."

After all, Jefferson Davis was not in so bad a case as he had feared. Though the Democratic party had adopted a Finality platform, they had nominated his friend Pierce, and Pierce he well knew was sound on the slavery issue and would be true to Democratic principles, as his father before him had been.

In the campaign, Davis took an active part, speaking in Mississippi, Louisiana, and Tennessee, but avoiding the declaration of principles of his party as far as possible. He attacked the conduct of General Scott, not for the purpose, as he said, "of scrutinizing his military conduct, but for the more useful purpose of ascertaining what talent he possessed for the cares and offices of state." He then laid a heavy charge at General Scott's door; Scott was quarrelsome! "unable to get along with his subordinates and showed a disposition to appropriate the lion's share of the laurels which the army had earned."

In the November elections, Pierce carried every state except four—Vermont, Massachusetts, Kentucky, and Tennessee. The Finality plank had wrought the great victory. It had held together the regular and the Union Democrats of the South and had concili-

¹⁹ McMaster, VIII, 272.

ated the Union Democrats of the North. Pierce's well known affection for Davis was likewise a drawing card in the South though the southern Democracy was now almost without opposition. The Whig party was in a state of disintegration, brought about by an impossible alliance between its northern and southern wings—in fact it had been buried in the grave with Henry Clay.

On June 29, 1852, Clay, the patriot, had died, his last hours disturbed by the exultant shouts of Scott and Graham delegates returning to Washington from the Baltimore Convention. October 24, following, the immortal Webster likewise died, his heart broken by disappointed ambition. His last and truest words were, "I still live." Calhoun, Clay, and Webster were now gone—the old pilots dropped. With new men at the helm, how would the ship weather the storm? During the summer, Davis had made a visit to Boston and the North, where he conferred with Cushing and other leading Democrats. He came home pleased with the political situation.

When Congress convened and Davis read his friend Pierce's first message to Congress, he heartily approved, except the Finality reference. The President had suggested that Cuba be acquired. He promised that Whigs would be turned out of office and Democrats put in their places and urged that the fugitive slave law be faithfully obeyed. As to slavery, he solemnly declared the Compromise was a Finality and that during his administration there would be no further agitation of the slavery question.

The President's message, however, did not so much concern Senator Davis as the local situation in Mississippi and his chances for getting back to the Senate in 1854. His plans, however, were soon broken up. On December 7, there came an important document from the White House. The President wished to see Colonel Davis and asked if he would consider taking a place in the cabinet. After much reluctance, Davis accepted the position of Secretary of War and the course of his life was again changed.

But his regrets at quitting Brierfield must have been lessened by family troubles. A few years before, his wife and sister had become estranged and the latter had moved from Brierfield. About 1846 or 1847, the Brierfield cottage had been much added to and made into a two-family house, to be occupied both by Jefferson Davis's family and his sister's. The new dwelling cost \$10,000,

and had marble mantels.²⁰ The arrangement proved unsatisfactory, and his sister took her departure.²¹

Emotional matters did not unduly concern Colonel Davis however. By nature cold and formal, he generally sat in the rear of his affections. Thus he allowed no nicknames on the plantation; even the slaves must be given their full titles. Pemberton was called James, not Jim—it would be disrespectful to call him Jim.²² In truth, Colonel Davis's relations with Pemberton were quite singular. Sometimes this vigorous slave would come into the "Great House" and the Colonel, to use Mrs. Davis's words, "would fetch a chair, bid him be seated, and offer him a cigar on leaving."²³

But there was one exception to the rule of formality at Brierfield: Jefferson Davis and his wife were never formal. True comrades,—they were the best of friends. Perhaps the only person to break through the Colonel's icy exterior was his wife, and his brother at an earlier date. To Varina Davis, the Colonel was always "Banny." "Dearest, dear Banny," "Precious Banny," she often called him. Content with Banny and Brierfield, Mrs. Davis urged her husband not to accept the cabinet appointment. But she did not prevail. The Colonel had work to do; he must solidify the South, restore Calhoun's equilibrium, and add enough slave territory below the fatal line 36° 30' to make the South as populous as the North.²⁴ He could then snap his fingers in his opponents' faces. Not a bad spring-board for this aeronautic leap, was the position of Secretary of War!²⁵

²⁰ *Davis vs. Bowmar*.

²¹ This matter acquires importance because it bears upon the wills of Jefferson Davis and Joseph, and their differences. Furthermore, it entered largely into the family lawsuit, which arose out of troubles beginning about the time of the Mexican War and continuing until after the Civil War. 55, *Mississippi Reports*, 690.

²² *Memoir*, I, 176.

²³ Mrs. Davis's virile *Memoirs* have none of the flavor of the old South, to be found in the gushing and feminine *Diary from Dixie*, Mary Boykin Chesnut; *A Southern Planter*, Susan Dabney Smedes; *Reminiscences of War and Peace*, Mrs. Roger A. Pryor; *A Belle of the Fifties*, Mrs. C. C. Clay; *A Confederate Girl's Diary*, Susan Morgan Dawson.

²⁴ Hodgson, 319.

²⁵ Leading Free Democrat papers, with secession tendencies: *Mississippian*; *Natchez Free Trader*; *Woodville Republican*; *Vicksburg Sentinel*. Leading Whig Union papers: *Holly Springs Gazette*; *Vicksburg Whig*; *Jackson Southron*; *Natchez Courier*. Papers containing the Davis-Foote controversy: *Union*, March 17; *Southern Press*, February 12; *Flag of the Union*, January 30; *Yazoo Democrat*, February 18 and March 10 and 17; *Mississippi Free Trader*, February 11. See also Rowland, II, 107.

CHAPTER X

UP AGAIN

In the summer of 1853, Mrs. Davis, with little Samuel, joined her husband in Washington, where four years of comparative contentment and satisfaction awaited the new Secretary. A residence on Fourteenth Street, near the White House, was leased and an establishment set up befitting their high station.

Secretary and Mrs. Davis's associations were all that could be desired. President Pierce was a frequent caller and the two families became close and intimate. In his communications with the President, Colonel Davis often unbent, calling Pierce his honored chief and his dear friend.¹ Several cabinet members had homes near the Davis residence. Attorney General Cushing, scholar and orator, judge and general, but never fully possessing the confidence of Boston, his home city, was a few doors away; Secretary of State Marcy, Davis's rival for presidential favors, also was nearby. Postmaster General James Campbell and Secretary of the Treasury James Guthrie were likewise neighbors and frequent visitors.²

Every member of the cabinet, except Davis, had supported the Finality plank of the Democratic platform. Davis alone opposed it, and was called into service to represent the State Rights and Slavery Extension wing of Democracy—an unfortunate choice surely for an administration elected on the issue of letting slavery alone.

Mrs. Davis fitted admirably into her new place. Three groups made up Washington society: the old exclusive residents usually worshipping at St. John's Church; official Washington, composed of the President, his cabinet, judges, and Congress; and commercial or business Washington. The official group changed with each administration and had little social significance—sometimes Westerners, with hearty manners predominating; sometimes, as in Jack-

¹ Rowland, IV, 185-193.

² *Memoir*, I, 535.

son's day, the unwashed Democracy much in evidence. Rarely did select, exclusive Washington condescend to official life.

In the official group, Mrs. Davis was at her best. Robust and companionable, she affected none of the effete social graces.³ Though she was fond of money, she kept open house to her husband's friends, military and scientific persons being favorites. Almost any evening, Professor Henry of the Smithsonian Institution and Professor Le Compte might be seen at the Davis fireside. General Scott, Davis's aversion, was entertained, until he and the Secretary had their 'controversy. The Davises were not wealthy, yet they made a brave show, keeping horses and an equipage "and decorating their home with a few palms and other ornamental plants."⁴ When President Pierce's term ended, Mrs. Davis gave a farewell reception, eclipsing anything of the season; she was determined that "the Pierce administration should go out in a blaze of glory."⁵

And Secretary Davis's official career was quite as successful as Mrs. Davis's social. As Secretary of War, the Colonel was in the right place. Reveling in details, he inspected every account, supervised each order, and left nothing to his subordinates. Not the smallest button on a soldier's coat was unaccounted for—a trait of character desirable and undesirable, the detail-mind functioning admirably in a narrow field but failing to grasp and coördinate larger and more complex situations.

Secretary Davis had been in office but a short time when General Scott sent in an account for audit and payment. One item covered mileage, at sixteen cents a mile, travelled by the grandiose General and his body-servant.

United States to
Lieut. General W. S. Scott Dr.
To 3610 miles @ 16c . . . \$577.60

"Sixteen cents a mile!" exclaimed the scrupulous Secretary. "The statute allows only eight." Upon investigating, Secretary Davis arrived at the conclusion that the mileage charge was erroneous, as the General's trip did not fall in the special cases authorizing sixteen cents. In a formal letter, he brought this fact home

³ Rowland, Evan, 373.

⁵ Poore, I, 428.

⁴ *Memoir*, I, 547.

to the General. Scott replied that the mileage charges did not cover actual outlay and such accounts had been allowed in a dozen prior cases. "So much the greater reason that the bad custom end," Davis retorted.⁶

The Davis-Scott controversy became a public scandal. Letter after letter passed between these high officials, growing out of the sum of three hundred dollars. In a blistering communication of three thousand words, the Secretary also brought forward other charges against the General. He had not accounted for funds in Mexico and he had unlawfully granted leave of absence to General Hitchcock. "This leave is hereby revoked," the Secretary wrote, "and you will order the officer not to leave his post." Scott simply exploded. He took no orders from Davis, "his orders must come from the President." He likewise charged the Secretary with malice and referred to the long fight which Davis had made upon him. He sneered at the Secretary, "posing as a cabinet favorite," and exclaimed, "Shame on you attacking an old, worn-out war veteran!"

Davis retorted that Scott was an enraged imbecile and a poor specimen of a war veteran, endeavoring to create the impression that he was wounded in battle. "Why, the only wound you ever received came from a fall off a horse on the streets of New York!" Scott rejoined that Davis was trying to goad him into fighting a duel, but he refused, overlooked the insult, and simply passed Davis on to the contempt of posterity! "Fight a duel, indeed!" Davis jeered. "Why did you not fight General Jackson when he challenged you years ago?" This shot angered the General to a degree and he denounced it as a bare falsehood. "General Jackson made ample apology to me as soon as he knew the facts," Scott wrote, "and he and I were the best of friends." The controversy was brought to a close by this characteristic letter from the Secretary:

War Department,
May 27, 1856.

BREVET LIEUT. GENERAL W. SCOTT,
U. S. Army,
New York City.

Sir: I have received your letter of the 21st inst. the delay for which you make a hypocritical apology has strengthened you to resume the

⁶ Rowland, II, 221.

labor of vituperation, but having early in this correspondence, stamped you with falsehood, and wherever you presented a tangible point, convicted you by conclusive proof, I have ceased to regard your abuse, and as you present nothing in this letter which requires remark, I am gratified to be relieved from the necessity of further exposing your malignity and depravity.

Very respectfully Yr. obt. Serv.,
JEFFN. DAVIS,
Secretary of War.

Still another charge Davis made against Scott. While in Mexico the General had received \$261,691.30 and had disbursed only \$255,541.45, leaving due the Government \$6149.86. This discrepancy, together with numerous other papers, was submitted to President Pierce, with request to order an investigation. The President refused and wrote at the foot of Davis's charges these words: "In the settlement of General Scott's account, he is hereby authorized to retain the entire sum of six thousand one hundred and forty-nine dollars and eighty-six cents. F. P." ⁷

Secretary Davis's watchful eye extended to larger matters, however, than the auditing of accounts. The West Point Academy was given particular attention. Colonel Robert E. Lee was then Superintendent and, at his suggestion, Secretary Davis arranged for new quarters for officers and improved hospital service. The regular army was increased from 11,000 to 17,000, and the pay of men and officers materially raised. In his annual report to the President, Secretary Davis insisted that soldiers should be paid on a parity with civilians and Congress acted on this recommendation. Under the efficient War Secretary, indeed, the army became a new and coherent organization. Paradoxically enough the country was being moulded into a nation.

Surveys of transcontinental railroads for war purposes were undertaken; post schools were remodeled; a military commission to observe the Crimean War sent to Europe, and a herd of camels brought over from Egypt to be used in crossing the western plains, then known as the Great Western Desert.⁸ Forts throughout the country were strengthened and exposed places put in a condition of defense. Much of this work was of a controversial character.

⁷ *Senate Ex. Doc. No. 34, 34th Congress, Third Session.*

⁸ Schaff, 81.

Indeed it would have been easy for Secretary Davis to have favored the South at the expense of the North. He might have sent an extra supply of arms and ammunition South and built arsenals and other plants, against the coming of civil war. But he did not do this; no charge of favoritism was then made.

But Colonel Davis's secession record in 1850, and during the campaign of 1851, led some southern associates to conclude he was approachable and would, if urged, favor the South at the expense of the rest of the country. On September 30, 1856, Senator J. M. Mason wrote Secretary Davis a letter of a questionable character. After marking the same "private" and cautioning, "This is for your most private ear," the Senator went on to request the Secretary to "exchange percussion for flint muskets for Virginia." The letter likewise referred to a secession convention soon to be held in Raleigh. A "rendezvous," Mason called it, adding, "If Frémont is elected, we must have immediate, absolute and eternal separation. . . . So I am a candidate for the first halter."⁹

The labors of Secretary Davis having met the approval of the President and of Congress, work of a more delicate character was intrusted to him. He was commissioned to supervise the completion of the Capitol. His success in that undertaking is manifest to every eye that has since grown moist at the sight of one of the noblest public structures on the globe. The Secretary was likewise directed to construct the Cabin John bridge across Rock Creek, near Washington City—at the time of completion the longest cantilever span known to science, six hundred feet in length. On the arch of this bridge these words were inscribed:

WASHINGTON AQUEDUCT

Begun A.D. 1853

President of the United States—Franklin Pierce

Secretary of War—Jefferson Davis

Building Completed A.D. 1861

President of the United States—Abraham Lincoln

Secretary of War—Simon Cameron¹⁰

⁹ Mason, 118.

¹⁰ In Reconstruction days the name of Jefferson Davis was erased, and a blank space left, but by order of President Roosevelt, a few weeks before his term expired, Secretary Davis's name was replaced. *Southern Historical Society Papers*, 38, p. 90.

But local matters were trifling in comparison with the imperialistic projects of Secretary Davis and his associates, heartily endorsed by the President. Davis's eyes were turned longingly to Cuba, Yucatan, Central America, and the Messala Valley, owned by Mexico. These countries must be added to the United States. Lying south of $36^{\circ} 30'$, they would increase slave territory.¹¹ In his inaugural, Pierce had said, "The policy of my administration will not be controlled by any timid forebodings of evil from expansion." In pursuance of this statement, President Pierce carefully chose his foreign representatives.

To the delicate Spanish mission, Senator Soulé was assigned, at the suggestion of Davis and over the protest of Marcy. Soulé, when in the Senate, had urged the taking of Cuba, without the payment of a farthing to Spain. He was for Cuban independence at all hazards. Living near the home of William Walker and Governor Quitman, leading American filibusters, he was their abettor and approved their marauding expeditions. John Y. Mason, a fat-brained, good-natured, sensible old man, and likewise a Cuban advocate, was appointed ambassador to France, and Buchanan sent to England. Thus was the way paved by the President for the accomplishment of the expansion projects of his ambitious Secretary.

And these schemes seemed altogether feasible. If in the 1840's the South and West united had added Texas as slave territory, despite the North and southern Whigs, why could not a similar trick be turned in the 50's? Why could not the South say to the West, "Join us in annexing Cuba and Central America as slave territory and you may have all of Nebraska as free territory?"¹² Under the leadership of Cass, Atchison, and Douglas, the West, with no scruples as to the morality of slavery, was undoubtedly favorable to any trade the South might suggest. The country at large was likewise committed to the Democratic party.¹³

Moreover, all departments of government were safely Democratic. The President was a Democrat and so were Senate, House, and Supreme Court. Franklin Pierce was the head of a compact political organization. The Whig party was dead, abolitionism

¹¹ Beveridge, II, 531.

¹² Eight embryo states; Eckenrode, 67.

¹³ Greeley, I, 277.

was losing out, and prosperity smiled upon the land. The President, in his first message, called attention to the happy condition of the country due to the triumph of Democracy and to the settlement of the slavery question. "Now that the slavery agitation has ceased," he wrote, "a sense of repose and security pervades the land."

He then used these significant words, "This repose is to suffer no shock during my official term, if I have power to avert it." Though he did not refer to the annexation of Cuba, he advocated other nationalistic matters, particularly the building of a Pacific railroad. This policy had been outlined by Secretary Davis during the summer. In a speech at Philadelphia, "on behalf of his honored chief," Davis had declared that no local improvements would be undertaken, but only larger and greater matters.

Thus smoothly was the Democratic ship sailing over the untroubled waters when her pilots ran her on the rocks. On Sunday, January 22, 1854, Senator Douglas called at the Davis home and stated his mission. He had amended his bill of the fourth instant—to organize Nebraska into a territory—and incorporated the Dixon amendment. He now proposed an absolute repeal of all slavery compromises, also to divide Nebraska into two territories, Kansas and Nebraska, and to leave the question of slavery or no slavery to the vote of the inhabitants thereof. All cases relating to the title to slaves and all questions as to personal liberty were to be subject to a review by the Supreme Court. What did the Secretary think of that measure?

The astounded Davis signified his approval and at Douglas's request led the way by a back door of the White House for an interview with the President. The complacent Pierce followed the lead of his Secretary and underwrote Douglas's Squatter Sovereignty bill. Douglas went his way rejoicing. Thus by a stroke of the pen would Douglas, aided by Pierce and Davis, strike down the Ordinance of 1787, the Missouri Compromise, the great Compromise of 1850, and put slavery agitation at large again. And all this, as Benton charged, "without a memorial, without a petition, without a request from a human being."¹⁴

What motives moved Douglas in this momentous step? A mixture of patriotism and selfishness, undoubtedly. In the first place,

¹⁴ Rhodes, II, 489; Hollis, 153.

he hoped to transfer slavery agitation from Congress to the people. In the next, he expected to advance his chances for the Presidency. Davis was now the southern arbiter and his conciliation meant the support of the South. In addition, "squatter sovereignty," as Douglas reasoned, was strong in the West. His bill would open up western lands to free white settlers. Free states would be added, and thus his pet scheme to develop Chicago, by a railroad to the Pacific, accomplished.

And Jefferson Davis—what possessed him to cooperate in Douglas's scheme? It must be admitted he achieved a personal triumph. The adoption of this bill would bring the Democratic party to his position, to wit, that Congress could not legislate against slavery. Moreover, the matter of slavery-extension would be improved. There would be no obstacle in the way of Davis's dream to establish some general slavery principle, some line below which all territory should be forever slave. Undoubtedly, Davis was overreached by Douglas, as the latter well knew his bill meant a free West, whereas the former understood the spirit of the bill pledged Congress to protect slavery in the territories, *until they became states*. Unfortunately for Davis, the bill does not bear this construction,¹⁵ "and it became the short cut to all the ends of Black Republicanism."¹⁶

Senator Douglas's bill not only astounded the country; it swept it off its feet. The Far South approved; southern Whigs in general and the free North condemned. In 1850, the anti-slavery feeling had been academic; now it was vital, overwhelming. Pulpits thundered; the press denounced the measure. Meetings by the score passed indignant resolutions. A clergyman's petition declared the bill "would expose us to the righteous wrath of the Almighty." The North was resolved that the new territories should not be given over to slave labor. "What rights are precious," was asked, "if those secured to free labor and free laborers, in that vast territory, are not?"

During the discussion of the bill, the House became a scene of great disorder. Congressmen rushed at each other with clenched fists and drawn weapons. Jumping upon their desks, they defied and denounced one another. There was an all-night session. On May 11 and 12 the House did not adjourn at all. The bill finally

¹⁵ MacDonald, 402.

¹⁶ Pollard, *Lost Cause*, 68.

passed both Houses and was approved by the President May 30, 1854. Only two southern Senators voted no—Houston of Texas and Bell of Tennessee. The Union-loving Badger voted aye, and regretted it ever afterward. He had been swept along by the excitement of the moment and bullied by his secession associates.¹⁷

During the excitement in Congress, Secretary Davis sat in his office complacent and satisfied. He had won; even Douglas had come to his view. Moreover, the South was becoming a unit. All was well. Let the fanatical abolitionists rage, no one heeded their ravings! But what a price the man had paid! The Democratic party started down hill; Pierce had destroyed himself; Marcy, the strong man of the cabinet, threatened to resign; and civil war soon broke out in Kansas.

Furthermore, the immediate effects of the Kansas-Nebraska Act were as disastrous as the remote: Secretary Davis lost a possible opportunity to acquire Cuba. So much incensed had the people become, they would back the slavery program no further. Congress likewise became alarmed and refused to go forward in slavery extension.¹⁸

While Congress was discussing squatter sovereignty, the three foreign ambassadors, Buchanan, Mason, and Soulé, had been playing their cards badly and were soon to make themselves ridiculous in their efforts to annex Cuba. At Madrid, Soulé was blustering around, fighting duels and endeavoring to bully Spain into parting with Cuba. On February 5, 1854, an international incident occurred out of which war with Spain might have been provoked and Cuba seized by the United States. But Soulé was not a diplomat and could not handle the situation.

At the above date, an American ship named *Black Warrior*, was ruthlessly seized by Spain for violating the neutrality laws and ordered to give up her cargo and to pay a fine of \$6,000. The impetuous Soulé demanded an indemnity of \$300,000 for the insult, the payment to be made within forty-eight hours. This ultimatum meant war. Forthwith, the indiscreet ambassador was suspended from office. Thus matters stood until the summer when

¹⁷ Congressman Venable's speech, attacking Badger, was widely circulated. At Salisbury, N. C., in October, 1860, Badger publicly acknowledged his error.

¹⁸ But for the failure of Congress to support the President, said Davis in 1857, we would have acquired Cuba.

he was ordered to meet Buchanan and Mason to outline a policy for the West Indies.

On October 18, 1854, a manifesto was issued from Ostend. "The United States will pay a good price for Cuba," the Ostend Manifesto declared, "if delivery is made at once; otherwise, Cuba will be seized without remuneration." This foolish document was given wide publicity, and greatly irritated the civilized world. The jingoes had over-played their hands. They had made it impossible to precipitate a war with Spain and to rape Cuba. In a short time, Spain settled with the ship owners, the incident was closed, and the chance to acquire Cuba was gone.¹⁹

But Secretary Davis's efforts to extend the southern boundary of the United States across the Messala Valley were more successful. In 1856, James Gadsden was sent to Mexico, authorized to pay ten million dollars for the territory desired, about 48,000 square miles—now a portion of New Mexico and Arizona. This territory was desirable because, after its acquisition by America, the latter country would be relieved from obligation to protect Mexico against Indian depredations. It was more desirable from Davis's point of view as a right of way for a proposed southern Pacific railroad.

To the project of a Pacific railroad, Secretary Davis had devoted much labor. He had caused several routes to be surveyed and these surveys to be printed in ten large volumes. Ten thousand copies of the work were printed and not only furnished to Congress, but scattered throughout the country. Davis insisted he did not specially favor a southern route and that his desire was to get the best route for the least money. Douglas, Henry Wilson, and other advocates of the northern route took issue with Davis and charged he had forestalled the matter by the Gadsden Purchase; that he had already used ten million dollars to purchase a right of way for his southern road.

Another matter in which Governor Quitman was concerned placed Secretary Davis in close quarters. The chief of the Cuban filibusters was one William Walker (afterwards caught and shot), and with him Davis had no acquaintance. Walker's assistant, however, was the redoubtable Quitman, Davis's ardent supporter.

¹⁹ *Washington Union*, May 11; on July 30 it advocated an appropriation of millions to purchase Cuba.

In 1854, when these filibusters invaded Cuba and violated the neutrality laws, Spain protested. The Pierce administration condemned their conduct, and Quitman was arrested and gave bail. The order condemning Quitman was signed by Davis, Secretary of War. This matter, however, was official and not personal, for, as Davis afterwards asserted, General Quitman and himself were in agreement in all their principles.

Pierce's administration was now drawing to a close, and it had been mistake upon mistake. The chief blunder was undoubtedly the Kansas-Nebraska Act. Out of that measure the Republican party sprang. This party was composed of coherent and unified groups, northern Whigs, Free-Soil Democrats, Free Soilers generally, and the "Softs" of New York. The main purpose of the new party was to prevent slavery extension, to enact a homestead law for free settlers, and to open up the territories to free labor; its secondary interest was to pass a more stringent tariff measure. In its main purpose there was no wavering—the North was resolved that Kansas as well as Nebraska should be free! Under the Missouri Compromise they were free, and free they should continue. In Boston, an Immigration Aid Society was organized, vast sums of money were raised, and settlers encouraged to migrate to Kansas. But the South was not idle; slave-holders by the thousands crossed the Mississippi on the way to "bleeding" Kansas.

Thus was the momentous issue joined: "What industrial system shall dominate the North and West?" A situation dramatized by Senator Seward in these words: "Come on then, gentlemen of the slave states! Since there is no escaping your challenge, I accept it in the cause of freedom. . . . We will engage in competition for the soil of Kansas and God give the victory to that side which is stronger!"

As soon as Kansas was declared to be a territory, an election was held for a legislature. The main object was to enact laws relating to slavery. In the first election, the slave party won, but thousands of fraudulent votes had been cast. The Free Soilers then called a convention at Topeka and elected a free legislature. Two rival governments existed and civil war broke out. In May, 1856, on the day before Congressman Brooks assaulted Sumner, the free town of Lawrence was sacked by slavery advocates. John Brown, a great ruffian and an obstruction to the establishment of a genuine

free state, burst upon the scene. Brown butchered the innocent, cut off their arms, fingers, and heads, and otherwise mutilated their dead bodies. "God is my judge," muttered Brown as he cut human throats, "the people of Kansas will yet justify my course."²⁰

At this point the President interfered and Secretary Davis sent United States troops to put down the free government. Peace ensued for a season, but only for a season. Under the next President war broke out again. In this condition of affairs, Pierce's administration came to an end, and it was plain he could not be renominated. A complacent, scholarly gentleman, never able to say "no" to any one, his handling of the slavery question had destroyed all hopes for further promotion.

The National Democratic Convention met at Cincinnati on June 2, 1856, and the leading candidates were Pierce, Buchanan, Douglas, and Cass. The platform decried any further agitation of slavery, endorsed the Kansas-Nebraska Act, and advocated the annexation of Cuba. The Whig party, now disguised under the name of Know Nothings, nominated Fillmore upon the old Whig platform: devotion to the Union, protection of slavery in the old states, and exclusion from the new. At Philadelphia on June 17, the National Republican Convention met and nominated the erratic Frémont, the "Path-finder," for President. Its platform denounced the Ostend Manifesto, called it the highwayman's method, opposed the taking of Cuba, and the extension of slavery, and bitterly arraigned the Pierce administration.

In the fall elections, Buchanan won, with the aid of the business interests and the conservatives. Such men as Rufus Choate—conservatives and Union-lovers—saw in the blustering Frémont a menace to the Union. In fact, it was generally understood in the South that the election of Frémont meant immediate secession.

Buchanan was elected, as I have said, because of the fear of civil war in the event of Republican victory. The Democrats, however, had been given a fright. Under the watchword, "Vote as you pray and pray as you vote," Frémont had received a million and a quarter votes. Buchanan's total vote was less than two millions. The poet, Whittier, broke forth in a bit of doggerel:

If months have well-nigh won the field,
What may not four years do?

²⁰ Hollis, 164.

As these startling events passed before Colonel Davis's eyes, wrath stirred his soul. The Republican party was an unlawful aggregation, he insisted, a violation of the Constitution. Why should southern slave owners be forced to wage war to vindicate a constitutional right to carry slaves into Kansas? Should the South submit to such dishonor? No! By every bone in Calhoun's body, no! The election of the abolitionist, Banks, to the speakership was an outrage not to be borne. The caning of Sumner by Brooks, why, it was a merited chastisement, which all good men should approve! ²¹ Back to the Senate he would go, issue his challenge, lay down his ultimatum, and this time fight if necessary to maintain it.

In the summer of 1856, he wrote his political friend, C. S. Tarpley, expressing a desire to return to the Senate. During the following winter, a convention was held at Jackson, Mississippi, to recommend a senator to the legislature. Reuben Davis presided. Though Jacob Thompson had been slated for the senatorship, Jefferson Davis defeated him by a single vote—the vote of the chairman.

²¹ Wilson, II, 489; Garrison, III, 434.

CHAPTER XI

THE CHALLENGE

A few months before Secretary Davis's term expired, a son had been born whom the parents named Jefferson. Two years earlier, their first-born, Samuel, had died and the father was disconsolate. "Many months he walked half the night," says the mother, "and worked fiercely all day."¹ His cabinet life was arduous and enervating. "After fourteen hours of labor he would often eat dinner at two o'clock in the morning." In this condition of the Secretary's health, little Jeff arrived; Washington was blanketed in snow.

It was difficult to get doctor or nurse and Mrs. Davis was sick unto death. Relief came from an unexpected quarter. Senator Seward sent over his fine horses and sleigh and often came himself to minister to the afflicted household. Thus was begun the most extraordinary attachment of the day, that of Jefferson Davis and W. H. Seward.

But when March 4, 1857, came, all was well again. At nine o'clock Secretary Davis had a long and tender interview with his chief. Grasping Davis's hand, President Pierce said, "I can scarcely bear the parting; you have been my stay and solace for four anxious years." At twelve o'clock, Jefferson Davis was sworn in as Senator.

Two days later, the Supreme Court delivered itself in the famous Dred Scott case—an opinion anachronistic and extra-judicial, perhaps more unnecessary and foolish than ever emanated from a great tribunal. Dred Scott was a Missouri slave and by collusion with his master sued for his freedom. He claimed that his master on one occasion permitted him to cross over the Mississippi River into the free territory of Wisconsin and that that act set him free. The defense was twofold: that Dred was not a citizen and could not sue; and that Wisconsin was not free territory, as the Missouri

¹ *Memoir*, II, 535.

Compromise of 1820 which declared Wisconsin free was unconstitutional.

The real issue was the first, and the easy answer was, "No, a slave is not a citizen." Had the case stopped there, as it should, nothing would have happened. At first it did stop at that point, and a short opinion was written dismissing the suit for want of jurisdiction. But Justices Curtis and McLean, in their dissents, criticized slavery and slavery legislation. This irritated Chief Justice Taney and he and the six slavery Justices withdrew the first opinion and filed a second. This re-written opinion dug up more snakes than could be killed. It tackled the great question, "Was the territory of Wisconsin ever free?" To this question the court answered, "No, the territory of Wisconsin was never free, but always slave and Congress could not make it free." In other words, the court, as Republicans charged, had gone Democratic.

Consternation spread over the North; every stone in the Capitol was shaken. Abraham Lincoln, the lank rail-splitter out in Illinois, roused himself from retirement and came back into politics. He was sure a conspiracy was on to overrun the West with slave labor. Stephen and James, Franklin and Roger were the conspirators.² Jefferson Davis rejoiced. Every break of late had been his way; first Congress and now the Supreme Court were with him, tooth and nail.

In May, Davis and his family set out for Brierfield, where they had been but little since 1852. At Vicksburg and Jackson, hearty welcomes awaited the Colonel, and there were barbecues and speech-makings. And well might Colonel Davis be content. In Mississippi he was now supreme; there was no one to dispute his primacy. Foote was routed and gone, and no traces of the Union party were left. The State Rights party was in the ascendant. His associate in the Senate, Governor A. G. Brown, was an out-and-out secessionist; the stalwart Quitman and the outspoken Reuben Davis were in Congress.

In the White House was his friend President Buchanan. The South and slavery were therefore secure. In the President's inaugural, which Davis had inspired, the immediate acquisition of Cuba was recommended; and into the cabinet Buchanan had called

² Stephen A. Douglas, James Buchanan, Franklin Pierce, and Roger A. Taney.

Jacob Thompson of Mississippi, Howell Cobb of Georgia, J. B. Floyd of Virginia, and Brown of Tennessee—good Southerners all. One matter only troubled the Colonel: the extension of slavery into the territories—that issue must be met.

On October 15, 1857, at Mississippi City, the Colonel made a significant speech. After approving the course of Pierce in relation to Cuba, he said, "If the *Black Warrior* affair had been properly managed, the United States would now own Cuba. . . . The course of William Walker, leading filibustering expeditions into Cuba, is altogether commendable." With reference to squatter sovereignty, he declared it offered much to the South in 1854, but its promises had not been realized. The only safe position was that of the Supreme Court in the recent Dred Scott case: the United States must protect slave property in the territories. "I have no liking for apologists," said he. "I offer no apology for slavery; on the other hand I affirm that African slavery, as it exists in the United States, is a moral, a social, and a political blessing."

Robert John Walker, then Governor of Kansas, came in for a castigation: What business of his to be taking part in a territorial election on slavery? Had not the Supreme Court decided that all territory, Kansas included, was slave, and that neither the people nor Congress could make it free? Did not the Scott case hold that a state only could decide on the issue of slavery or no slavery, thereby unalterably fixing a territorial slave-status for all time?

In May previous, Walker had been prevailed upon by President Buchanan to accept the governorship of Kansas and on arriving there, learned that the territorial legislature had named the third Monday of June for electing delegates to a constitutional convention. Walker, a slave-owner and a Mississippian, with large experience and a level head, was thought by the President to be the very man to conduct the election and see that slavery was given a fair deal. In his inaugural, the new governor urged all parties to take part in the approaching election, and in a speech at Topeka, declared that the Constitution, though "free," should be submitted to the people. He had likewise called out troops and quelled a riot. At the June election, however, the Free Soilers refused to go to the polls, only one-fourth of the voters participating. Slave delegates were chosen to the convention.

In October following, and at the time Senator Davis was down

in Mississippi, an election was held in Kansas for members of the legislature to take steps to adopt a constitution. Meanwhile, Washington politicians were urging the Kansas delegates to meet and formulate a slave constitution, regardless of the people or of the incoming legislature. The convention met in September and adjourned to await the October election. This election decided overwhelmingly for a free status. The convention nevertheless assembled and formulated the Lecompton or Slave Constitution, and submitted it to be voted on by the people on December 21. The ballots were a curiosity—a hocus pocus worthy of a ward politician. They read as follows:

For the Constitution with Slavery
For the Constitution Without Slavery.

Thus slavery was secure no matter how the election went. The old story of might making right—heads I win, tails you lose. This ugly performance had the endorsement of President Buchanan and of Secretary Davis.

Thus Kansas matters stood when Davis took his seat in the Senate and jumped into the discussion up to his middle. But he found the Thirty-fifth and Thirty-sixth Congresses different affairs from the one he had quit some years before. The South was undoubtedly more solid, but so was the North. Union senators, North and South, had been displaced by partisans. Southern Union voices had been silenced.

Badger and Mangum, Union Whigs, had been routed by Reid and Clingman. The latter, having quit the Whigs, had become a blatant secessionist. Downs was supplanted by the shifty and dangerous Benjamin, whose colleague was John Slidell: Benton had been defeated; the Union-loving Clemens of Alabama and the sweet-spirited Bell of Tennessee had bit the dust. Foote's place was filled by Governor Brown, an original secessionist. Toombs and Stephens, pacificators in 1851, had ceased to be Whigs and taken their places in the ranks of the militant Democracy.

Changes in the North were quite as alarming. Webster and Winthrop, patriots and constitutionalists, were gone; the Bay State was represented by the vulgar Henry Wilson and the dreamer, Charles Sumner, extremists and partisans, elected by questionable methods. From Chicago had come Lyman Trumbull, a student

and a scholar, incapable of wrongdoing for party's sake. The corrupt and time-serving Zach Chandler, represented Michigan; but the precise and learned Fessenden, a stalwart Republican, every inch a senator, represented Maine.

Soon after taking his seat, Davis discovered that the Dred Scott decision was a fruitless victory. Seward, the Republican leader, was charging that the opinion was brought about by collusion between the Court and the President.³ "We bow to that opinion now," Seward was saying, "but we will review and overturn it." Douglas, as Davis was insisting, was double-crossing the South, praising the opinion in one breath and explaining it away in another. Douglas had gone back on squatter sovereignty, "rightly understood." Certainly slavery could not be voted on until a territory had become a state. Douglas must keep step with the Scott case or take the consequences. In fine, slavery was no longer a local matter; it was national and the government in duty bound to protect it.⁴

At the December election in Kansas, the ballot which read "For the Constitution with slavery," had an apparent majority of several thousand, but the election was a patent fraud. This constitution is known as the Lecompton constitution. On January 4, 1858, the election called by the legislature resulted in a victory of more than ten thousand to one hundred for the Topeka or free constitution. Thereupon, Governor Walker wholeheartedly endorsed this constitution, declaring it expressed the mature judgment of the people. Nevertheless, President Buchanan, Senator Davis, and other stalwarts endorsed the Lecompton constitution.

The Kansas slavery authorities, by the direction of Buchanan, applied for admission to the Union under the Lecompton constitution. But thoughtful men, North as well as South, shook their heads in disapproval. Governor Henry A. Wise declared that if the Lecompton fraud were approved by Congress, the Democratic party would be dead. Senator Hammond exclaimed, "Kick the dirty thing out of the back door."

The issue between Davis and Douglas was sharply drawn when Kansas asked for admission under this Lecompton constitution. Douglas bravely took stand against such course, defying Buchanan and the administration. A real man at last, Douglas ridiculed the

³ Beard, II, 18.

⁴ Wilson, H., II, 532.

ballot under which the Lecompton constitution was adopted: it was a fraud, it was despotic. "The people of Kansas have expressed themselves in favor of a free commonwealth," said the Little Giant, "and free they should be. . . . I cared not whether slavery was voted up or voted down, but now the people have spoken and good faith requires that we approve their action." This attitude of Douglas killed him with the southern Fire-Eaters.

At this time Senator Davis was ill. Under the care of a solicitous wife, he would drag himself to the Senate, well wrapped and supplied with beef tea and other nourishing food. In reply to Douglas, the enfeebled but militant man declared the South was on the defensive. He did not claim the Scott opinion carried slavery into a state, but it did decide that slavery was the status of a territory until it became a state. In this contention Davis was but keeping step with the Supreme Court.

In a short while, Governor Walker, now as obnoxious to extreme Southerners as Douglas himself, resigned and washed his hands of Buchanan's administration and of the Democratic party. In letters to Secretary Cass, Walker had made it plain that Kansas favored a free constitution, and had insisted she have her wish. "Admit Kansas as a free state," Walker had written, "and she will be duly grateful and will become rock-ribbed Democratic."⁵

The bill to admit Kansas under the Lecompton constitution passed the Senate by a vote of thirty-three to twenty-five, but was killed in the House. Davis, at that time sick and absent, was paired for the bill. Words are useless to describe the scenes of disorder during the discussion of this matter. Alex Stephens, in a letter to a friend, said, "Last night was a battle royal in the House. There were thirty men in one fisticuff. The Union can't last much longer." During the final debate, Gilmer, a North Carolina Congressman, made an appeal for the Union and expressed disapproval of partisanship and bitterness. Joshua R. Giddings thereupon crossed the aisle and was thanking Gilmer, when a fiery Southerner rose and jeeringly shouted, "Kiss him, Giddings!"

The Kansas troubles culminated in the English bill, a measure which provided that Kansas might come into the Union at once and have a bonus of valuable land if she would accept the Lecompton constitution; otherwise she would get neither lands nor statehood.

⁵ Wilson, H., II, 47.

Kansas rejected the bribe and at the August election voted down the Lecompton constitution.⁶ The gods, bent on destroying the Democratic party, had made its leaders mad.

During these Kansas debates, William Walker, the filibuster, was again marauding in Cuban waters. Under orders from Washington, Walker was captured by Commodore Paulding, and a resolution thanking the Commodore and granting him a medal was debated with much heat. President Buchanan, in a message to Congress, had mildly censured the Commodore, but had insisted that "Walker was violating the principles of Christianity, morality, and humanity." In a word, the President was side-stepping the main issue and at the same time appealing to the "higher law."⁷

This reference of the President to Seward's higher law was fish to the New York Senator's net. According to him, Senator Davis, who had attacked the Commodore, was recusant in opposing the President in his higher law doctrine. "Higherlawism!" Davis sneered. "I feared the President had got into higherlawism when I found myself against him. . . . I am no party man, Sir, I am an old foggy; I have no part in higherlawism."

Seward interpreted the President's equivocal position to mean "the only crime was being caught." "Who said that?" Davis interjected. "I so understood you," Seward replied. "That is your position," said Davis, "and nobody else's." The Paulding medal was not voted.

Ill-health, nervous exhaustion, and wounded pride, no doubt, were now telling on the unconquerable Davis, and he was growing more austere and arrogant. "His best friends were forced to admit his bearing even towards them had become haughty and his manner imperious."⁸ No person did Davis more highly esteem than Judah P. Benjamin, yet in one debate he snapped at Benjamin as if he were an enemy. Davis, who was chairman of the Committee on Military Affairs, had asked a larger appropriation to purchase breech-loading guns. Benjamin offered an amendment to cut the appropriation. A colloquy ensued, Benjamin asking for further information.

⁶ Rhodes, II, 290.

⁷ Schouler, V, 402; *Globe*, 220, Twenty-fifth Congress, First Session.

⁸ Poore, I, 428.

Davis: Oh! I will state the very simple fact, the Committee asks money to buy breech-loading guns.

Benjamin: It's easy enough for the Senator to give a sneering reply to a plain remark.

Davis: I considered it an attempt to misrepresent a very plain remark.

Benjamin: Your manner, Sir, is not at all agreeable.

Davis: If disagreeable, the Senator can keep it to himself.

Benjamin: When directed to me, I will not keep it to myself, but repel it instanter.

Davis: You have got it, Sir.

Benjamin: That is enough, Sir.⁹ A duel was averted by the intervention of Senator Pierce of Maryland, a friend of both parties.¹⁰

In one of the Kansas debates, Chandler referred to the fact that Davis, when Secretary of War, had sent troops to Kansas to put down the free government and install the slave. Davis angrily retorted that he had sent only a few troops and thereby had saved human life. Turning on Chandler, he exclaimed, "The man who would not have done that is inhuman and beneath contempt! . . . Does the Senator charge me with wrong-doing?" At this point Davis's friend Seward interposed and further trouble was averted.

Davis likewise attacked Fessenden, who was insisting that Senator Davis might love the Union but he had a queer way of showing his love. Fessenden then referred to Davis's attitude in 1850, when he resigned from the Senate, went down to Mississippi and fought the battles of state rights and disunion against Foote. Fessenden, in substance, charged that Davis was a secessionist.

Davis: Does the Senator make that charge?

Fessenden: I do not; the press made it.

Davis: What press?

Fessenden: I can produce a paper which copied the charge from another.

Davis: Copied! I am only waiting for one responsible person to make the charge and I will answer him in a monosyllable. (Feb. 8, 1858.)

⁹ *Globe*, 2781, June 8, 1858.

¹⁰ "In March, 1858, when the President ordered Colonel A. S. Johnston to attack the Mormons, a definite program of secession was on." Davis, R., 370.

At another time Wilson and Davis had a sharp controversy. Wilson had asserted that the slave party in Kansas had won by fraudulent votes and these methods had been approved by the Democratic administration, that the whole affair was reeking in fraud. Davis exclaimed he was tired of hearing of the fraud in Kansas; the Senator could turn to no other question. It was like the frogs in Egypt. "Let the North look to its own white slaves and cease to interfere with the institution of slavery. . . . These attacks on southern institutions are unworthy of the Senator. . . . If Massachusetts chooses to send such an one, he should speak as becomes his position." Wilson replied to Davis with much confidence and was sustained by his party associates.¹¹

But Davis's bitterest taunts were for Douglas, whom he characterized as a demagogue and a time-server, and whose words "were those of a highwayman and a bravo."¹² "I set my heel on the Senator's policy," exclaimed Davis. "With scorn and indignation I look upon it. The Senator builds up his political reputation by catering to prejudice to exclude the property of the minority from the territories." In reply, Douglas asserted that Davis's scorn was mutual. "I despise to see men pandering to public sentiment against common rights under the Constitution."

Davis: Will the Senator abide by Scott's case?

Douglas: All property must be treated alike, whether horses, or whiskey, tobacco or slaves.

Davis: The Senator has not answered my question.

Douglas: When the Supreme Court decides that slavery in Kansas is a constitutional right, I will abide such decision.

During these debates, Seward contrasted a country cursed with slavery and a country blessed with freedom. The former, he called "labor states," the latter "capital states." In the former, political force governed; in the latter, political power. One strikes down manhood; the other elevates it.

In the Thirty-fifth and Thirty-sixth Congresses, Senator Davis did not exhibit that depth of learning or liberality he had at an earlier date. In the 1840's, no senator had been more tolerant except in controversial slavery matters. Now, like an animal at bay,

¹¹ *Globe*, 389, Jan. 25, 1858.

¹² *New York Herald*, Jan. 24, 1859.

he was fighting a desperate fight. The most arrogant and insufferable man in the Senate, said the *Tribune*.¹³

The free North was outstripping the slave South both in wealth and population. Oregon and Minnesota had just been admitted as free states; Calhoun's equilibrium was more and more out of joint. There were now eighteen free states with thirty-six senators, to fifteen slave states with thirty senators. These stubborn facts irritated Senator Davis and he was not easy to placate. When it was proposed, for example, to appropriate a sum to return certain stranded Africans taken from a slave trading ship back to their homes, he voted no. He had offered amendments, reducing the amount and had insisted that the actual cost of transporting the negroes was sufficient "Turn them loose as near home as possible," he said. Toombs and other stalwarts expressed surprise at this position of their leader.¹⁴

Only once did Senator Davis cooperate in a measure hurtful to slavery-extension. He assisted Andrew Johnson in his long-cherished homestead measure which would open up the West to free white settlers. But even on this measure the Senator finally took the back-track. In 1860, the homestead bill passed both Houses. It was vetoed by President Buchanan under pressure from southern leaders. Senator Davis then voted to sustain this veto and defeated the bill.¹⁵ In the homestead debates, indeed, Senator Davis had expressed his well known aristocratic view, which I have heretofore quoted. "In the South," said the Senator, "every white man is raised to an equality—nowhere else will you find every white man superior to menial service."¹⁶

During these debates, Senator Davis was often too unwell to attend the Senate. In the winter of 1858, he was attacked by the old eye trouble, brought on by severe cold and laryngitis. During the spring he was confined in a dark chamber and eminent physicians attended him. The patient's suffering was intense. A procedure of the pupil took place and the eye was in hourly danger of bursting.¹⁷ When Mrs. Davis would urge nourishment, her husband would scream, in a smothered voice, "I am in anguish, I cannot!" Only the tender care of a devoted wife saved his life. Dur-

¹³ April 14, 1860.

¹⁴ Wilson, H., II, 621.

¹⁵ June 23, 1860.

¹⁶ *Globe*, 916, Feb. 29, 1860.

¹⁷ *Memoir*, I, 575.

ing his convalescence, the doctor expressed surprise that he had not gone entirely blind. On a bit of paper the sufferer scribbled, "My wife saved me."

Each day during the Senator's illness, Seward came for an hour or more to beguile his sick friend and to tell of the "passing show in the Senate and House."¹⁸ Seward was, in fact, solicitous of the outcome of his friend Davis's health as though they were brothers. He inquired after every symptom and when hopes of saving the eye were small, he sorrowfully and with tears in his eyes repaired to Mrs. Davis's room and whispered, "I could not bear to see him maimed or disfigured. He is a splendid embodiment of manhood; he must not lose his eye."

Congress adjourned in June, 1858, and the physicians recommended that the sick man take a northern trip. Early in July, the Senator and Mrs. Davis with Jeff and Margaret, the infant daughter, set sail for Boston. Almost at once the invalid recovered his health and spirits. On July 4, while at sea, he made a patriotic speech, warning his hearers against the agitators of both sections. In Boston and Portland and at agricultural fairs throughout New England, he was extended a "hearty grip." His friend Pierce came out to greet him. In Faneuil Hall, he addressed an immense concourse. Caleb Cushing introduced him and B. F. Butler was on the reception committee. Dressed in modest black clothes of the style of the day, and without pretense, bluster, or assumption, Jefferson Davis everywhere filled New England with patriotic fervor.

In earnest terms he pictured the deeds of the Revolutionary fathers; our whole country is a unit—materially and socially a unit, he insisted. There is no necessary antagonism between the sections: the South has the raw material; New England has the mills to manufacture it into the finished fabric. The South has slave labor adapted to the farm; the North white labor suited to the factory . . . Once the cause of Boston was the cause of all and it will be so again if slavery is protected under the Constitution—otherwise danger is ahead.

The Boston *Post* and other papers were high in praise of Colonel Davis, "the distinguished orator, jurist, and soldier." Wonderful speeches the Colonel was getting off in those October days of

¹⁸ *Ibid.*, I, 580.

1858 . . . But away down in Mississippi the plain common people could not make him out. Was Davis a candidate for President¹⁹ and had he deserted the cause of state rights and of the South? His mail brought anxious letters, intimating he had been false to the South.²⁰

But even while Davis was enjoying his summer outing, a scene was taking place at Freeport, Illinois, which changed the course of his life. Only one debate had taken place between Douglas and Lincoln, rival candidates for the Senate, when the Freeport meeting was held. Six days before at Ottawa, Douglas had paid a noble tribute to public opinion—it was supreme and it was of God. At Freeport, Lincoln had determined to test Douglas out. Lincoln's object was to show the absurdity of the Scott decision and to see if Douglas would follow it to its logical conclusion. That is, would Douglas concede there was no way under heaven by which to prevent slavery in Kansas until statehood. Lincoln knew that if Douglas answered the question, about to be propounded, "No," he could not get back to the Senate; if "Yes," he could not be President.

Lincoln's question was couched in these words, "Can the people of a United States territory in any lawful way against the wishes of any citizen of the United States exclude slavery from its limits prior to the formation of a state constitution?" Douglas answered, "Yes," that the people of a territory had the right to vote on slavery. Douglas undoubtedly preferred to remain in the Senate rather than risk all on the presidency. And though he went back to the Senate, he alienated Davis and the South and lost the presidency.

Early in November, the Davis family arrived at Brierfield and in a few days a request came to the Colonel to address the Mississippi legislature. This meant, of course, the agitated and perplexed people desired an explanation of his New England tour. Gladly did the Colonel accept, for here was an opportunity to finish his Faneuil Hall speech. November 15 was arranged as the date for the address. A few days before, as will be recalled, the Fall elections had resulted in a Republican victory and the people of Mississippi were correspondingly excited. The Colonel therefore faced

¹⁹ Pollard, *Davis*, 49, charges that he was.

²⁰ Rowland, III, 361.

an anxious concourse, and he spoke in no uncertain tones. Heretofore, he had been content to warn the North; now he proposed to challenge them. In the California debates of 1850, he had said, "I warn you, I solemnly warn you." Now he would be specific and make a direct challenge.²¹

"Mississippians!" he began, his severe masterful manner arresting attention as his magnetic voice rang through the hall of the House. He then reviewed the history of the country, avowed his attachment to North as well as South, referred to the blood of his Revolutionary ancestors and to the glory of the American soldier. "Secession is the last remedy," he exclaimed. "Disruption of the Union a great, but not the greatest calamity. . . . When I have seen the flag of my country surrounded by the fiery flags of other nations, the pulsations of my heart beat faster with every breeze that displayed its honored stripes and brilliant constellations . . . I glory in Mississippi's star, but before I would see it dishonored I would tear it from its place to be set on the perilous ridge of battle as a sign around which her bravest and best shall meet the harvest-home of death!"

Great applause followed this dramatic utterance. The audience was thoroughly attuned to the lofty threat expressed. The November elections just held had been condemned by the press of Mississippi and by speakers all over the state. The *Mississippian* had called the November election "The black Republican notion of negro equality," and Congressman Singleton, in a speech at Jackson, had exclaimed, "I fear not Devils nor Hell, but disgrace I do fear. . . . Fore-warned is fore-armed!"

Continuing, Colonel Davis predicted that the next election for President would be thrown into the House and the complexion of the House was such as to make an abolition President possible.²² "Under these circumstances," he exclaimed, "it is for you to answer and say what course you should pursue . . . But, no, I do not pause for an answer, I answer for you. Your position is such that the event alluded to would be a revolution by which the processes of the Government would be destroyed and the observance of its mere form entitled to no respect. In such event, you should take

²¹ *Ibid.*, 339. This episode historians seem to have missed.

²² Davis also declared that during the last summer Pierce assured him if a northern army started South it would have to fight at home.

steps outside the Union for protection.”²³ Six months later he said, “If a President is elected on Seward’s platform, let the Union be dissolved.”²⁴

Thus did Colonel Davis finish the speech he had begun in Faneuil Hall sixty days before. Thus did he define his position and issue his challenge. If Seward or Chase or Lincoln were elected President, that instant disunion would follow. Thus, too, it must be admitted, were verified the beliefs of Reuben Davis, of Foote, of Andrew Johnson, and of Zachary Taylor, Fessenden, and other Whigs, that Jefferson Davis was a disunionist.

Colonel Davis’s speech met with widespread approval. The press endorsed it, the Mississippi legislature resolved that the election of an abolitionist would put an end to the Union. The plain people were specially pleased; they had a champion at last. Colonel Davis would protect them against negro domination. He understood the situation. In 1850, he was right and Foote was wrong. In his Southern Address of 1849, in his Protest of 1850, in all he had predicted, he was now fully justified. The aim of the abolitionists was clear; they would free the slaves and destroy the poor white man.²⁵ Rich men could take care of themselves, but the poor man could not, the free negro would crush him. “Fred Douglas would doubtless be President within a few years.”²⁶

The last session of the Thirty-fifth Congress was given over to the airing of troubles in the Democratic party. Public matters were at a standstill. A tariff bill passed the House but was defeated in the Senate. Kansas troubles soon settled themselves. The free population soon took charge of the Government, but Kansas was not admitted as a state till several years later. With much complacency, President Buchanan referred to the peaceful conditions in Kansas; he likewise recommended that Cuba be purchased. A bill was presented, appropriating thirty million dollars to acquire Cuba. This measure and the homestead bill often collided and in the end both failed to pass. The fugitive slave law, now openly violated in the North, was discussed with much acerbity. The opening of the slave trade was likewise considered, a policy which

²³ *Mississippian*, Nov. 5, 1858; Nov. 8, 10, 11, 15, 16.

²⁴ *Alfriend*, 120.

²⁵ *Brown*, 107.

²⁶ *Mississippian*, Dec. 19, 1859.

Senator Davis approved, though he did not deem it necessary for the State of Mississippi.

In October, 1859, John Brown again burst upon the stage, this time to achieve the immortality of any one who sacrifices life upon the altar of service to the weak. With eighteen men, two of whom were his sons, and several negroes, Brown seized Harpers Ferry, announced his insane purpose to liberate the slaves and killed a number of people, including the mayor of the town. After being desperately wounded, he was captured, but refused to disclose the names of those who were backing him. On December 2, with the firmness of a martyr, he stepped upon the gallows and met his death. This affair added to popular excitement; the nerves of the people, already on edge, jangled like mad.

In the North, dreamers and idealists compared Brown to Gideon and his Band. Some called him the second Christ: *Pro Christo sicut Christus*. On the day of his hanging, bells tolled in northern cities.²⁷ This attitude of the North disgusted and infuriated the South to an extent far beyond anything ever before witnessed. Moreover, *Uncle Tom's Cabin* had begun to circulate in the South and scores of replies had been published, filled with wormwood and with gall.

H. Rowan Helper, a poor North Carolina white, reared in a Quaker neighborhood, added to the excitement. His *Impending Crisis* was the most remarkable political work of its time. Crammed with facts from the census table, Helper's book maintained that slavery and a negro population were destroying the South, paralyzing her business, warping her civilization, and stagnating her intellect. Helper's remedy was freeing the slaves and transporting them. The *Impending Crisis* more greatly infuriated the South than did *Uncle Tom's Cabin*.

In North Carolina, a Quaker, Dr. Worth, was sentenced to prison for two years for circulating the book. John Sherman would no doubt have been elected Speaker of the House in December, 1859, had he not endorsed the *Impending Crisis*. That endorsement made him an outcast among southern leaders. One congressman called Sherman a murderer; another declared he was not fit to live. Millson, of Virginia, exclaimed, "We will not submit to a black Republican President." During the debates on the Speaker-

²⁷ Schaff, 101.

ship, every ugly and disagreeable matter possible was brought forward and the most evil passions of the human family found vent.

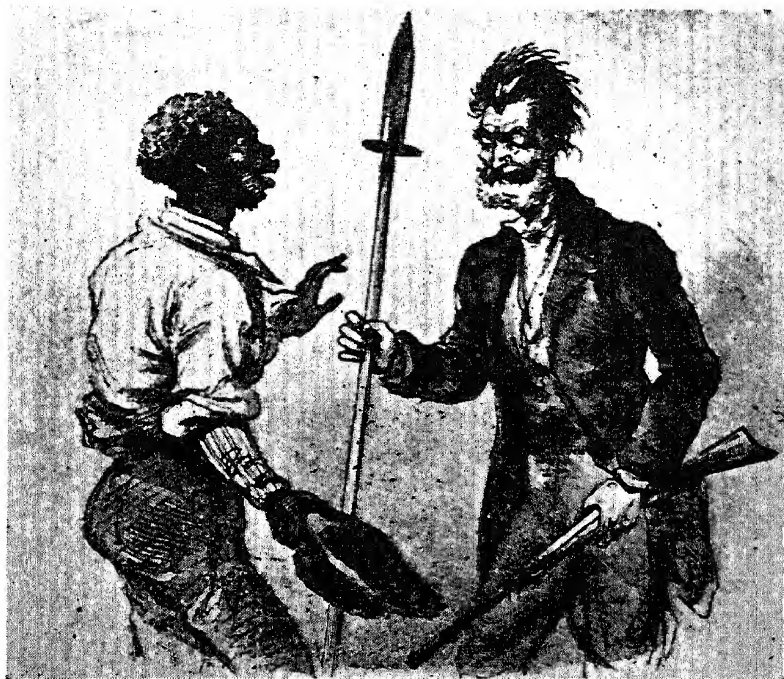
The year 1860 opened with gloomy outlook. Congress had met December 5, three days after the hanging of John Brown. In the House, the Republicans had a plurality, but not a majority. The voting for Speaker continued for more than six weeks with an unorganized House. Finally, on February 1, Pennington, a moderate Republican of New Jersey, was elected. The excitement in Congress, expressed in the violence of members, was never so manifest. And this excitement Jefferson Davis coined into political advantage, not by bluster, not by rant, as Senators Toombs and Iverson, Clingman and Wigfall, but by resolutions destructive alike of the Democratic party and of the Union.

Davis would have no more compromise—the time to fight had come. The South had lost out by yielding and compromising. Long ago she ought to have presented a solid front, and asserted her rights: in 1832, in 1848, in 1851. Time and again he had expressed his willingness that the North go its way. Why should not the South be accorded the same right? In the Senate more than once he had quoted Moses and referred to the troubles which separated Abraham and Lot. “And Abraham said unto Lot, ‘You go to the right and I will go to the left, or I will go to the right and you go to the left.’”

On February 2, 1860, Senator Davis rose in his place and presented a set of resolutions. On January 6, 1838, Calhoun had offered like resolutions, setting forth the true relation of the states to the general Government and formulating a national “slave code.” Following Calhoun, Davis would put the Senate on record as to the relationship of each state and of the United States to slavery. The resolutions declared the Scott decision to be the law, that Congress must protect slavery in the territories, and that the Democratic party no longer held to the Cincinnati platform of four years ago. Southern Unionists were amazed. Of Davis’s resolutions and of Buchanan’s and Slidell’s part in urging them even Clingman afterwards asserted they were “the conspiracy surpassing in insanity and wickedness all other events in the history of humanity.”²⁸

Heretofore, the Democratic party had declared that Congress

²⁸ Clingman, 48.



A PREMATURE MOVEMENT

John Brown: "Here! Take this, and follow me. My name's Brown."

Cuffee: "Please God! Mr. Brown, dat is onpossible. We ain't done seedin' yit at our house."

—From a cartoon in *Harper's Weekly*, Nov. 26, 1859.

had no right to interfere with slavery; it now declared that Congress must interfere, protect slavery, "and enact a slave code," as the Scott case suggested. Everyone knew what Senator Davis was up to; he was determined to establish some general slavery principle and incidentally he would kill off Douglas—"our little grog-drinking, electioneering demagogue."²⁹ On a platform condemned by the Davis resolutions, Douglas had just defeated Lincoln for the Senate and Davis proposed to put him in a hole. Douglas must be "pig or pup"; he must stand with the North or with the South; he should not run with the hare and hold with the hounds. After an acrimonious debate, the resolutions were adopted.³⁰

Never was Davis more the orator than in these slavery debates with Douglas. "Yet in the expression of passion, he retained an apparent self-continnence, appeared to be suppressing the struggling emotions of his heart, and to speak only half what he felt. He neither stormed nor spoke loudly or impetuously, but he filled the hearts of his hearers with unspeakable passion and captured their entire sympathy by that evidently forced moderation of tone and language which leaves to the power of suggestion much that expression declines to attempt and is incapable of conveying."

And yet his eloquence was haughty and defiant, his manner imperious, and he spoke as one who would not brook contradiction and who disdained the challenges of debate. Once Douglas twitted Davis for bolting the Democratic party, but promised forgiveness. Davis rose suddenly to his feet, with erect and dilated figure, and striking his breast, exclaimed proudly and defiantly, "I scorn your quarter!"³¹

In another contest with Seward, Davis retorted that "if the Senator and his partisans undertake to coerce the South, the Senator will find men at his own home who will arrest his footsteps and hold him prisoner in the name of liberty!"

In April, 1860, the Democratic party met in Charleston, South Carolina, the home of the elder Rhett and of his impetuous sons, owners of the *Mercury*, a newspaper a-flame for secession.³² Charleston, the most aristocratic city in America, where doorbells

²⁹ *American Historical Review*, X, 365.

³⁰ Dodd, 182.

³¹ Pollard, *Davis*, 33.

³² Beveridge, II, 8.

are rung from the sidewalks, where exclusive mansions are separated from the canaille by walls and parapets of brick, stone, and steel, reaching skyward, and whose motto has ever been, "Death before dishonor."³³ In such a smug, rarefied atmosphere, what chance was there for Douglas, the plain back-slapping Westerner, filled with Democratic ideals of popular education, of the equality of man, of free soil for free men, and of opposition to caste.

Caleb Cushing presided at the Charleston convention and Davis's name was presented for President, B. F. Butler voting for him forty-nine times! Slidell was on hand with the Davis resolutions. These resolutions were presented as the basis of the Democratic platform but were defeated. At this point, the convention went to pieces. "Follow me!" exclaimed the truculent Yancey, as he stalked out of Institute Hall soon to be known as Secession Hall. Alabama and Mississippi followed, two and two, marching across Meeting Street to the Court House and organizing a red hot party of their own.³⁴ The old Democratic party was split to pieces—the political carcass of Douglas torn from limb to gut,³⁵ and the Union well-nigh disrupted.

The convention sat several days, but Douglas could not get the requisite two-thirds majority. It therefore adjourned to meet in Baltimore sixty days later. The regular Democrats then met and nominated Douglas and Herschel V. Johnson on the Cincinnati platform, adding a plank for the acquisition of Cuba. The Seceders nominated Breckinridge and Lane on the Scott case. Between the upper millstone of secession and the nether millstone of abolition, the old Whig—now called American—party was ground to powder. It nevertheless met and nominated Bell and Edward Everett, the only plank in its platform: The Union and the Constitution.

Thus had Jefferson Davis laid his plans and given due notice. In behalf of slavery extension, he had destroyed the Democratic

³³ Colonel Ransom Calhoun was killed by Major Alfred Rhett in a duel. Rhett succeeded W. R. Taborn as editor of the *Mercury*, Taborn, a cousin of Rhett's, having been killed by Magrath. R. B. Rhett, Jr., killed Judge Cooley of the New Orleans *Picayune*. In the duel between Major Rhett and Vander Horst, Rhett fired in the air, remarking, "I present you with your life, Sir!"

³⁴ Hodgson, 429.

³⁵ Winston, 120.

party—for like reasons if necessary he would destroy the Union itself. Had he not warned abolitionists of the danger and issued his cartel?

“Fair warning, Gentlemen,” he had said to the Republican party. “Elect an abolition-President at your peril—that moment is the Union dissolved!” Would the Republicans heed this warning or would they accept Davis’s challenge? ³⁸ A grave responsibility rested on that party. “Are God’s laws to be replaced by man’s laws?” Channing was asking. “Is human legislation the measure of right?” In the womb of civilization an answer to this question was hatching.

³⁸ Holst, 138: “The Charleston Convention disrupted the Union.”

CHAPTER XII

CHALLENGE ACCEPTED

On May 16, 1860, the National Republican Convention met in Chicago, a new and typically western city. The Wigwam, specially put together for the occasion, would not hold the crowd. Ten thousand delegates and other favored ones packed the structure, while twenty thousand more stood without, straining eyes and ears and joining in the noisy demonstration. Because of Democratic dissensions, victory was sure, unless some mistake was made. David Wilmot, of Proviso fame, was temporary chairman. After the usual convention jockeying, Lincoln and Hamlin were nominated.

Seward had been the favorite, but his abolition attitude and his "irrepressible conflict" speech had turned the conservatives against him. Moreover, Seward was changeable, too agile minded and optimistic to make a suitable candidate. At the very time he was hurling anathema at slavery and predicting direful things unless it was abolished, he was almost silly in his optimism. The talk about a crisis amused him. It reminded him of an Irish soldier who rushed into the captain's tent one day with gun in hand and exclaimed, "Say, Capt'n, what shall I fire at? I don't see no enemy." "Fire at the crisis," said the Captain. "Didn't you know there was a crisis in the country?"¹

Chase, another candidate, was also wisely dropped. Proud, handsome, and learned, but dictatorial and consumed by ambition, Chase was not a safe leader. "I would free the slaves," he had said, "not because I love them, but because I hate their masters."² Cameron was lacking in moral fiber, and Bates, more lawyer than statesman. The other candidates were not presidential timber and all were therefore eliminated.

The task before the convention was how to weld into one mass the diverse and conflicting interests represented. Joshua R. Giddings, who was convinced that slavery existed nowhere except

¹ *Globe*, 618, Feb. 8, 1858.

² Acton, 135.

in the Democratic party and in the four points of hell, and who had electrified the House by his awesome words, "James Buchanan, believest thou the prophet? I know thou dost!" must be placated and those he represented.

The business interests must likewise be given attention. Nor must practical politicians, sane and sensible Free Soilers, and disgruntled Democrats be forgotten. A thousand fads and faddists must likewise be handled with care. There must be a complete roundup, a taking over of the entire vote polled by both Frémont and Fillmore four years before.

An incident marred the opening of the convention. Giddings moved to amend the first plank of the platform by inserting that clause of the Declaration of Independence which affirmed the equality of man. The resolution was rejected and Giddings quit the convention in sorrow and anger. The platform, as finally written, was shot through with freedom, though a discreet eye was kept on practical politics. "The normal condition of all the territory of the United States is that of freedom,"—thus it rang out. It also declared for the immediate admission of Kansas as a free state, denounced Buchanan, the Lecompton constitution, and all attempts to extend slavery into the territories. It opposed Cuban annexation, pronounced the reopening of the slave trade a crime against humanity, favored a homestead law, and called for a protective tariff for infant industries. A document not unlike the teachings of Henry Clay and the Whigs.

Thus, "Free labor, free speech, free soil, and free men," became the Republican battle-cry, and on this platform Lincoln was able to stand four square. A local railroad attorney, he was satisfactory to the conservatives and the business interests. Moreover, Lincoln was devoted to the Union and the Constitution, favored a stable government, and was opposed to any interference with slavery in the slave states. His opposition to the extension of slavery into the territories placated the Free Soilers, while his humble birth, good fellowship, homely wit, and advocacy of the rights of labor and of a homestead law endeared him to the hearty, expanding West. Pennsylvania and other manufacturing states were pleased because the low Walker Tariff of 1846, which had brought on a Northern panic, would be repealed. In truth, every element had been captured except violent abolitionists of the Wendell Phillips

type. Infuriated because some fanatic, favoring immediate abolition, had not been nominated, they sneered at Lincoln and called him "the sleuth hound of slavery! . . . The fellow had struck one blow for freedom where Webster had struck a hundred," they charged.

Thus, full-fledged and Minerva-like, the Republican party came forth to meet the mighty hosts of Democracy which had dominated America since the days of Old Hickory Jackson. And what had the Democratic party to oppose to this program of progress? Much that was venerable, delightful, and idealistic, it must be said, but little that was practical, progressive, or cooperative. Under Jefferson Davis, as we have seen, it had imbibed the Greek idea of the essential inequality of man and maintained that slave labor was a necessity. Slavery ennobled the southern white man and raised him above the "greasy mechanic" of the North. Slaves were useful as the members of the body are useful, one for each purpose: a steward, a housekeeper, a spinner, a weaver, a blacksmith, a lady's maid, a wet nurse, a dry nurse, a footman, a body servant, a coachman, and a playmate for young master.

Let "George" do the work, was the comfortable doctrine of the gentle old slave system, a system that reckoned not with stubborn facts, and that failed to observe an advancing civilization or to realize that the America of cotton mills, blast furnaces, and a continental empire was not the America of stage coaches, hand looms, and seaboard villages. Southern leaders could not indeed disengage themselves from the highfaluting teachings of Cervantes and Sir Walter Scott.³

While the historian must admire the nerve of the inflexible Davis and his followers in their fight to preserve a mediæval civilization, perhaps the best since the golden age of Augustus, he cannot fail to be amazed at their temerity. We have seen that nearly every civilized country had cast off slavery. The southern "fathers"—Washington, Jefferson, and Monroe—had declared slavery to be morally and financially an evil. Not only had many Southerners liberated their slaves, but they had provided in substance for the extinction of slavery by the year 1808. It would seem, therefore, that the lessons of the past would have given Colonel Davis and his associates pause, as it had Clay, Robert J. Walker, the Blairs,

³ Mark Twain, 330.

and thousands of others. These men advocated gradual abolition, compensation, and colonization.

But had there been no past to guide Colonel Davis, the living present might have arrested his attention. It was a day of nationalization. Individualism, isolation, and state rights were gone. Germany was being nationalized, so was Italy, so was England. How could America escape? Furthermore, America had become the home of the oppressed exile, fleeing from a land of tyranny to one of freedom. Germans, Irish, and Scandinavians were settling in the West and inhaling the air of freedom. The pens of Emerson, Channing, Bryant, Stowe, Whittier, and Theodore Parker were placing the slave owner in an impossible position before the civilized world.

Science was proclaiming the doctrine of the equality of the races and beginning to discover a common source for all animate beings. Caste, self-importance, and the divine right of kings were on the run. Authority, tradition, and orthodox religion were shaken by discoveries and inventions. The *Tribune*, edited by Horace Greeley, was demanding equal rights for women and free homes for free men. The labor world was becoming articulate. The child, under Wordsworth's touch, was an object of solicitude; public schools were supplanting private ones. Railroads, telegraphs, cheap postage, and penny papers were elevating the masses. Moreover, a thousand fads were knocking chivalry and all it ever stood for into a cocked hat.⁴

Exeunt, Lords and Ladies! Enter the man in overalls, the woman in pants! America was becoming a haven for "mad men, and women, men with beards, Dunkards, Muggletonians, Comeouters, Groaners, Agrarians, Seventh Day Baptists, Quakers, Abolitionists, Unitarians, Prohibitionists, and Philosophers."⁵ Rampant Democracy was threatening to submerge Colonel Davis, standing Canute-like on the beach, with upraised broom, trying to sweep back the ocean's tide.

As the campaign progressed, it was plain that the sweep of a world-wide democratic movement would land the Rail Splitter in the chair of George Washington. Public opinion, the giant that had slumbered so long, was aroused at last. Garrison and Phillips had done their work, Clay had done his and Douglas his. Lincoln,

⁴ Fish, 289.

⁵ Beard, I, 728.

the prophet of the new order, with no compromise, was to do his.⁶

The canvass was not an exciting one. The result was already discounted. Douglas took the stump and maintained himself with dignity. The last months of Stephen A. Douglas's life are worthy to rank high in American tradition. At Norfolk and at Raleigh he was heckled by the disunionists. "Senator Douglas, do you advise secession in the event of Lincoln's election?" they interrogated. "No, never!" spake the patriot. "Under no circumstances would I advise secession." In the West, where Douglas was strong, Carl Schurz, canvassing for Lincoln, pressed the homestead issue and Lincoln's opposition to slave labor. In the East, the versatile but humane Seward took charge, exhorting his audiences "to show loving-kindness to the slave owners," and indulging in much optimism. He would extend America north and south. He would acquire Canada and Cuba, with freedom as the watchword.

In the South, there was no enthusiasm. In the Far South, organization was unnecessary: only the state rights candidates, Breckinridge and Lane, were in the running. The whites, especially the poorer whites who confidently expected to be enslaved if the abolitionist Lincoln was elected, were a solid mass—and a fighting mass. Even in the Border States the canvass was tame. There the Republicans stood little chance, and the Whigs were the best bet, since the Democratic party was split to pieces.⁷ In the East, there was much enthusiasm and a perfect organization. The Wide Awakes and other political organizations were created, college professors took an active part, poets sang, philosophers and pamphleteers wrote—all in freedom's cause.

When the October elections took place, Lincoln carried the Democratic state of Pennsylvania and also Indiana. His victory was assured, and Colonel Davis was thoroughly alarmed. He must bestir himself. His challenge to the Republican party was out and about to be accepted. He must therefore get busy. Immediately he took the matter up with Breckinridge and with Bell, urging them to withdraw. They both agreed to do so, provided Douglas would retire. Douglas refused. No one except himself stood the ghost of a chance of carrying the West, he protested. Late in October, Colonel Davis, who had been to West Point as a Visitor,

⁶ Fish, 7; Brown, 89, 104; Hollis, 212, to the contrary.

⁷ Rhodes, II, 487.

stopped off in Philadelphia and had a long and confidential talk with his old cabinet mate, James Campbell. Campbell was sure of Lincoln's election, but Davis was confident of his defeat. The election would be thrown into the House, he thought, and Lincoln repudiated.

In his Illinois home sat Abraham Lincoln, thoughtful and sad-faced, watching the unfolding drama, conferring with party leaders. He made no public addresses, his speeches had already been made: in the canvass with Douglas and at Cooper Union during the previous February. Everyone knew his position. It was a contest of principles and not of men.

November 7, 1860, dawned bright and sunny, and the election passed off quietly, so quietly the newspapers reported it "intolerably dull." Lincoln was elected, fairly elected—without a contest, without a suggestion of fraud or wrong-doing. He had entered the race, played the game according to the rules, and won out. He had carried every free state except New Jersey. In the electoral college he received one hundred and eighty votes. Breckinridge received seventy-two; Douglas twelve; Bell thirty-nine. Of the popular votes, Lincoln got 1,857,610; Douglas, 1,291,574; Breckinridge, 850,082; Bell, 646,124.

The die was cast. Colonel Jefferson Davis's challenge had been accepted. An "abolitionist" was duly elected President of the United States. It was now up to the Colonel; the next move was his.

PART TWO—REAPING THE WHIRLWIND

1861-1889

"When I think of him [Gen. Pettigrew] and men not unlike him and think they, even they, could not save us, when I see that the cause which called out all their virtues and employed all their talents has been permitted to sink in utter ruin, when I find that the great principles of constitutional liberty, the pure and well ordered society, the venerable institutions in which they lived and for which they died, have been permitted to perish out of the land I feel as if in that southern cause there must have been some terrible mistake. . . ."

—WILLIAM HENRY TRESCOTT.

CHAPTER XIII

THE PLUNGE

Before the news of Lincoln's election arrived, anxious days awaited the Colonel down on his Mississippi plantation. Brierfield was far from the outside world and therefore the more dear to him and his little family. The three growing children were the delight of father and mother. Jeff, now a vigorous little chap of six years; Margaret, three, and her mother's joy; and Joseph Emory, the latest arrival, an infant of one year.

The coming of the babe Joe had been the occasion of a partial reconciliation between Colonel Davis and his brother, Joseph Emory, for whom the child was named. After this peace offering, Joseph and Jefferson undertook to forgive each other and the misunderstanding of fourteen years before was forgotten—as far as such things are ever forgotten. But Mrs. Davis did not try to forgive her husband's brother; his conduct in causing the Colonel to disinherit her had sunk too deep for forgiveness.¹

Brierfield plantation had been sadly neglected these last few years. The death of James Pemberton and the absence of the Master at Washington had left no responsible head. The old trouble as to the title to Brierfield likewise remained unsettled. Joseph's promise to make a deed was out, but this was mere word of mouth, a poor title if any at all to a valuable plantation. Often the women of the family would talk over the situation and urge Jefferson to ask for a deed, but he did not wish to press the consummation of a voluntary gift. Moreover, Joseph was a stern, unrelenting man, whom none dared to approach. The head of the Davis clan, he liked to feel "that everyone looked up to him; he parted with nothing he possessed, and kept everything together in his own name."

Jefferson Davis's relations with his wife and her people were almost ideal. Mrs. Davis's surrender of her life to his, her solicitude for his health and her intelligent interest in his manifold

¹ *Davis vs. Bowmar.*

duties—really private secretary and understudy—had made her husband a perpetual lover.² He soon left the Baptist Church, to which the Davises belonged, and attended the Episcopal Church with the Howells. In Washington, he worshiped at the Church of the Epiphany, and though not yet a communicant, was quite a pillar. The rector often called on him for advice and financial assistance.

Mrs. Howell, the Howell women, mother and sisters of Mrs. Davis, were proud of their masterful relative; to them, Colonel Davis was everything but stubborn and unyielding. Mrs. Howell called him Jeff, wrote him affectionate letters, and was "verry" much concerned about his spiritual condition. In 1859, she wrote a long motherly epistle, in which she gave it as her opinion that "our Saviour will end this war in person." Exactly what war, the good lady does not mention.³ "Jeff," she wrote, "do you know that I do most firmly believe that we are upon the eve of the final culmination of all things? I beg you to read Cummings on the Apocalypse. . . . I never was happy in my life before, I never understood my God and my Bible as I now do. Let me prevail on you, my dear son, as dear to me as any of my children, to read these books that we may all be found with our lamps trimmed and our wedding garments on."

How the Colonel would have loved to live on, unhindered and unlet at Brierfield, leading the life of a southern gentleman, rearing blooded horses, watching over his estates, reading, reflecting, doing as he chose, in the winter-season, going up to Washington, advising presidents, cabinets, and Congress, himself the most masterful senator of them all. But the Black Republicans, as the Senator called his opponents, would not let him do this. They insisted he had no right to carry his slaves into Kansas, and though he did not wish to carry slaves there, he wished to have the right to do this should he ever desire to do so.⁴

In the Senate, he had made this plain. In a hundred speeches he had said he did not approve of the Cass-Nicholson letter of 1848, and of the squatter sovereignty doctrine growing out of that

² She called him by the affectionate name, "Banny," as I have said.

³ Rowland, IV, 116.

⁴ Senator Wade declared the Democrats were fighting for the privilege of carrying a nameless nigger into a nameless territory. *Globe*, XXXIII, 1354.

letter. It was too plain for argument that squatter sovereignty, as interpreted by Douglas, was unconstitutional. "Rightly understood," squatter sovereignty meant that no election on slavery could be held until a territory had become a state. The shifty Douglas had made of it "a short-cut to all the ends of Black Republicanism."⁵

Moreover, two years before Davis had proclaimed before the Mississippi legislature that the election of an abolitionist dissolved the Union, and had advised the state convention at Jackson that disunion must follow if the Republicans elected their candidate on Seward's platform. As we have seen, he had issued notice to the Black Republicans that they must not elect their candidate.⁶

Presently a letter came from R. Barnwell Rhett, bearing date October 27, 1860, ten days before the election. Rhett wished to know if Mississippi would join South Carolina in secession. It was an anxious moment in the Colonel's life, and he took time to reply. War was impending and his instincts as a military man impelled him to guard each step with care. The Governor of South Carolina had called together the legislature to arrange for secession; Mississippi was about to follow South Carolina. Finally, on November 10, the Colonel replied to Rhett.

"If South Carolina has determined to secede," he wrote, "I advise her to do so before the Government passes into hostile hands and men have become familiarized to that injurious and offensive perversion of the General Government from the ends for which it was established." He then declared that South Carolina occupied a better position than Mississippi, as she had a coast line. If the secession of South Carolina was "followed by an attempt of the Government to coerce her, that act of usurpation, folly and wickedness would enlist every true southern man in her defense, and so would the attempt to blockade her ports and destroy her trade." On the whole, the Colonel was sure "the planting states had a common interest of such magnitude, their union was certain" and he therefore advised waiting till those states could be brought into cooperation.⁷

Scarcely had the Colonel posted this letter, when he was called

⁵ Pollard, *Davis*, 68.

⁶ Alex Stephens denies this. Stephens, I, 416.

⁷ Alfried, 223; Tate, 6—an opposite view.

to Jackson to advise Governor Pettus as to how and when Mississippi should secede.⁸ At the Jackson conference, he stated that civil war would certainly follow secession and therefore arms and munitions must be provided and due preparation made.⁹ This would cause some delay. While giving this cautionary advice, a telegram came from Washington. It called the Colonel to the Capital to hold Buchanan in line and to assist in formulating his message to the forthcoming Congress.

While Colonel Davis was making ready to set forth on this mission, rumblings of war were heard at Charleston, South Carolina.¹⁰ Even before that impulsive state had dissolved the Union, her troops were mobilizing around Charleston harbor, with intent to take over the outlying forts. It was plain to Major Robert Anderson, United States officer in charge of Fort Moultrie, that a fight was on if he undertook to hold that fort. The secession of South Carolina was a well understood fact, as her senators and representatives had resigned from Congress.

On November 23, Major Anderson brought home to the administration the perilous position in which he was placed. "Fort Sumter and Castle Pinckney must be garrisoned at once," he wrote, "if the Government is determined to keep possession of this harbor." Anderson's request went unheeded. In this condition of affairs, Senator Davis reached Washington and had an interview with the President as to his forthcoming message. At first the President was disposed to yield to his friend, Davis, and to recommend that the Charleston forts be surrendered to South Carolina. The mediocre man was shaken to and fro as a reed blown by the wind.

His cabinet was divided: southern members urged abandonment of the forts; northern members urged that they be garrisoned and held. The President's message was a straddle. Old and almost feeble-minded, Buchanan's only hope was to preserve the situation at Charleston just as it was and to pass the buck to Lincoln. The President finally advised Congress that South Carolina had no right to secede, but the Government had no right to prevent her from seceding!

⁸ Schaff, 113.

⁹ Davis, J., I, 157.

¹⁰ No South Carolina senator or congressman returned to Washington after Lincoln's election.

Historians censure Buchanan for this course. They maintain he should have done as Jackson proposed to do in December, 1832,—send an army and navy to South Carolina and with fire and sword stamp out treason.¹¹ But would this have been a wise thing to do? War would inevitably have broken out in December, 1860, as it did in April, 1861. The southern people, brave, and never counting the cost, would have rushed to the defense of South Carolina. For the sake of the Union, therefore, was it not wiser to wait till the administration had changed hands? A war against the South and the Democratic party by James Buchanan and his advisers! How absurd it would have been.

The President's message was not satisfactory to the country; something more definite had been looked for. Davis, in particular, was displeased. He had expected better things of his old friend, Buchanan, who had been put in the White House by southern votes. On the mere proposition to print extra copies of the message, a war of words broke out in Congress. A southern Senator, pleading for peace and harmony and calling attention to the blood and treasure expended for the Union, was called down by Senator Davis. The Union cost no blood, no treasure, said he; American independence cost blood and treasure, but not the Union.

Various compromise resolutions were offered. Senator Davis proposed his old remedy—that the right of property in slaves be acknowledged. On this resolution he spoke at great length and with frequent reference to the constitutional guarantees of slavery. His resolution was defeated and he forthwith wrote Governor Pettus of Mississippi that the Black Republicans were bent on war. The most popular plan was suggested by the venerable peace-maker of Kentucky, John J. Crittenden, a wise and patriotic Senator, now playing the rôle of Henry Clay but without Clay's magnetic power, his alluring personality, or his leadership.

The Crittenden Compromise was substantially Davis's old scheme—to extend the line, 36° 30' to the Pacific, north of that line to be free; south, slave. The Powell amendment, incorporated in the Crittenden bill, was the heart of the matter. It provided that territory *thereafter acquired* south of the line, should also be slave. This proposition, it will be remembered, had been offered

¹¹ Rhodes, III, 16. Here Rhodes takes this view.

by Davis in 1850 and rejected by Clay and Webster.¹² On Crittenden's Compromise, a joint committee of thirteen from the Senate and thirty-three from the House was raised; and, on December 15, the President of the Senate named the Senate committee. Davis was given a place on it.

In this joint select committee, the hopes of peace centered—if the committee failed to agree, the Union was doomed. At first, Senator Davis refused to serve; his sense of propriety deterred him. His secession views, unless slavery was recognized in the territories, were a bar. In truth, Davis was at first quite busy urging southern members not to take part with the committee. When a member of the House came over to the Senate and informed him that his friend Reuben Davis was going to serve on the House committee, he hastened to Reuben Davis's chair and abruptly asked him if he really proposed to act. Reuben Davis replied that he felt in duty bound to do so. "Then it is useless to say anything to you," said the irate Senator, and he walked away.¹³ But on the next day, Jefferson Davis's friend, R. M. T. Hunter, on the Senate committee and a state rights man, prevailed on Davis to reconsider. Senator Davis did reconsider and served on the committee.

This conduct of the Senator was in contrast to sentiments expressed by him in 1850. He was then indignant at Senator Foote's statement that he was planning disunion while serving as a United States Senator. Such a charge was a foul slander, he declared—to do such a thing would be dishonorable. That Senator Davis favored secession on December 15, when he accepted a place on the Crittenden committee, seems to be clear.

On December 14, the day before the Senate committee was named, a meeting of the secessionists was held in Reuben Davis's room. The result was a manifesto addressed to the people of the South. This manifesto foreclosed all hope of compromise, "and was so intended."¹⁴ It read, "We are satisfied the honor, safety, and independence of the southern people require the organization of a Southern Confederacy, a result to be obtained only by separate state secession." Was this document a pre-judgment of the Crittenden Compromise, and ought Senator Davis to have sat with

¹² Smith, W. H., 337.

¹³ Davis, R., 396.

¹⁴ *Ibid.*, 398; Rhodes, III, 177.

the Committee of Thirteen? Howsoever this may be, he did sit and at the first meeting proposed a resolution destructive of results.

Senator Davis moved that no report should be adopted unless it had the assent of a majority of the Republican Senators and also a majority of the other eight members of the committee. When this motion prevailed, the Crittenden Compromise received its death blow. Late in December, a vote was taken in the committee and Davis voted against the measure. He was so recorded. Undoubtedly Davis's idea was to shut off discussion. He wished the matter settled in advance.¹⁵ Now, as always, he was standing for some general principle—a finality towards which he might shape his course and build up a southern slave empire.¹⁶ During the discussion, Senator Davis had turned to the stalwart Republican committeemen, Seward, Wade, and Collamer, and had said that if they would propose the line of 36° 30' and make it a finality, he would accept it.¹⁷ The stalwarts declined to accept this offer.¹⁸ Ten years before, when they were a small party greatly in the minority, they had rejected the same proposition; why should they now accept it? If Senator Davis could not kill the bear, how did he expect to kill the lion?

Jefferson Davis's real feeling toward the Crittenden Compromise was manifested when the abolitionist Clark of New Hampshire offered his famous substitute. Clark proposed a resolution to the effect that the Constitution was the only guarantee slavery demanded. The Clark substitute was adopted, and its adoption buried the Crittenden Compromise, good and deep. Six southern senators, Davis included, refused to vote. If they had voted against the substitute, the Crittenden bill would have come before the Senate, and might have been adopted.¹⁹

It had been thought that Seward would be the Henry Clay of this delicate situation and would either offer a comprehensive measure of his own or support the Crittenden bill. He failed to pursue this course; Lincoln, the new President-elect, deterred him. At Seward's request, Thurlow Weed had visited Lincoln in Spring-

¹⁵ Speeches, December 7; 13.

¹⁶ Alfried, Chap. VII.

¹⁷ Smith, W. H., 337.

¹⁸ Davis, J., I, 603; *Globe*, 308.

¹⁹ "Davis's explanation of his attitude on the Compromise is unsatisfactory," Curtis, G. T., *Life of James Buchanan*, II, 423, N. Y., 1883.

field and had asked Lincoln's wishes on the Compromise. Lincoln opposed it—he did not wish slavery extended. "The Republican party must stand on its platform," he said. "On this point you must stand firm." Lincoln likewise said to Weed, "In 1830 the tariff was the excuse for disunion, now it is the line 36° 30', next it will be the acquisition of Cuba and a part of Mexico." Thus did the minds of Lincoln and Davis move in the same orbit, and thus did Lincoln fathom the thoughts of his war-like antagonist.

Seward, on behalf of the Republicans and with Lincoln's approval, offered a compromise measure preserving slavery in the states forever. It provided that "the Constitution should never be so altered as to authorize Congress to abolish or interfere with slavery in the states." This offer Senator Davis and associates spurned.²⁰

The attitude of Senator Davis, in opposing the Crittenden Compromise, was consistent. In truth, no other course was open to him, after Lincoln's election. As Reuben Davis records: To have backed down after the election would have been dishonorable. Jefferson Davis had committed himself to disunion and secession; that is, unless the Republican party would admit it was wrong on slavery extension, go back on its platform, and accept the Scott case. Davis wished no half-way ground; he was anxious to save the Union—in his own way. And that way was to abide by the letter of the Constitution. The Constitution declared that slaves were property and on that declaration he stood. "The remedy for sectional troubles," he declared, "is in the hearts of the people."

Meanwhile events in South Carolina were moving with speed. On December 20, that plucky state left the Union and became the "Republic of South Carolina." The Bonnie Blue Flag, with but a single star, was unfurled to the breezes. Governor Pickens dispatched a commission of three cultured citizens—Rhett the chairman—to Washington to request the President to vacate the Charleston forts and restore them to their rightful owner. Buchanan received the commission kindly and promised to preserve the status and make no change. The situation at Charleston was this: Major Anderson was stationed at Moultrie with a small force, some eighty men. Now Moultrie, a fort on Sullivan's Island, was easy of access to South Carolina troops, but Sumter, a stout little

²⁰ Foote, *Caskets*, 141.

fort a mile away from the shore and in the middle of the channel, was well nigh impregnable.

Anderson cast longing eyes towards Sumter. If he could only transfer his force to that island, he would defy capture and save the lives of his garrison. While the Government hesitated, Anderson acted. On the night of December 26, after spiking his guns at Moultrie, he slipped across the channel and took possession of Sumter. Never was there a greater uproar in Charleston or in Washington. The enraged South Carolina commissioners, in company with Senator Davis, waited on the President and demanded why he had not kept his word. The President wavered and acted as though in his dotage. He falteringly complained to Rhett that they did not give him time to say his prayers. He asserted that Anderson had disobeyed orders and must go back to Moultrie. At the next meeting of the cabinet, the President was overruled. Southern members, except Thompson of Mississippi and Thomas of Maryland, had resigned and their places were now filled with Unionists. Thereafter, Davis's relations with the President were greatly strained.²¹

Major Anderson's position at Sumter was growing more precarious—he was almost without food or supplies. Soon he must be provisioned or evacuate. In response to his earnest request, the Government finally plucked up courage and on January 5, 1861, determined to provision Sumter. On that date, *The Star of the West*, a small side-wheel vessel, steamed out of Sandy Hook, bound for Charleston Harbor. Forthwith, Secretary Thompson and Senator Wigfall notified Governor Pickens that the boat had sailed. Three days later, when *The Star of the West* crossed the bar at Charleston, with relief for Anderson, she was fired on by South Carolina troops, and limped back to New York.²²

The South Carolina commissioners sent a spirited protest to the President. They charged falsehood and perfidy. The President refused to receive them or to entertain their petition. Next day with this petition in hand, Davis rose in the Senate, and after uttering indignant words characterizing the President's conduct, requested that the Clerk read the protests. Senator King of New York sharply objected. Davis, with coolness and audacity, replied,

²¹ Stephenson, *Lincoln and the Union*, 95.

²² Major P. F. Stevens fired the first shot from Cummings' Point.

eulogizing the South Carolina commissioners. King retorted that they were traitors, "Benedict Arnolds and Judas Iscariots." Davis branded King's remarks and his conduct as "mean and contemptible." The petition was received and read and Jefferson Davis gloated over his parliamentary triumph.

The secession of South Carolina, the mission of its commission to Washington, the incipient state of warfare at Charleston, and the resignation of Cobb, and particularly of Cass from the cabinet, startled and alarmed the whole country. The spirit of rejoicing because of Lincoln's election was gone and gloom pervaded the people. The stock market went to pieces, business houses failed, a panic set in. Petitions from millions poured in upon Congress. "Settle these matters and restore peace at all hazards," was now the cry.

The President, in his special message, had called attention to the situation in South Carolina and warned that the legal functions of the United States must not be obstructed by state officials. "Where does he get that?" snapped Senator Davis. On another occasion Senator Hale, addressing the Senate, referred to the right of coercing a state. He was sharply called down by Senator Davis, and later explained he did not mean that a state could be coerced.

In the entire Senate, prior to January 1, 1861, it must be said that only one senator stood forth bravely for the Union and entered his protest against the action of South Carolina.²³ That senator was a Southerner, a "poor white," and a tailor—Andrew Johnson, of Tennessee.²⁴ With a fist of mail and a voice of thunder, he rose to the occasion. "Whoever fires on our flag or attacks our forts," he exclaimed, "I pronounce a traitor and he should meet a traitor's doom!" This utterance Davis denounced, characterizing Johnson as a "degenerate son of the South unworthy to sit in the Senate, an ally of Ben Wade, the foul abolitionist." The *New York Herald* reported that a duel between Davis and Johnson was set, and in Mississippi it was understood it had come off, and that Davis had been severely wounded. Joseph Davis wrote a letter to Jefferson asking about the affair.

Matters in the nation were now hastening to the final explosion. In the winter of 1860 no northern visitors went to the Sunny South. January 4, 1861, was given over to fasting and prayer. In Wash-

²³ Stephens, II, 457.

²⁴ Pollard, *Davis*, 81.

ington circles, Southerners cut the accomplished Mrs. Douglas, her husband being a "renegade." Congressional debates were mere violence and abuse. Business could not be transacted. Toombs was never so revolutionary and dramatic. Wigfall and Iverson trembled with rage. They invited the North to invade the South and promised "a hospitable welcome to bloody graves."

On the other side of the Chamber, Wade and Sumner were equally bellicose, while Trumbull and Fessenden presented the calmer and more logical phases of the situation. Hale continually ridiculed the so-called southern grievances. He declared the South had ruled the nation for the past thirty years and "the southern masses would not know they were maltreated but for the news from Washington."

And how was Senator Davis deporting himself? Never with greater assurance, *sang-froid*, and coolness—the coolness of a duelist who flicks the ashes from his cigar while weapons are being primed. He was now indeed easily the southern leader, without a peer, and master of personal and direct attack. When Senator Trumbull declared that Davis's conduct in advising the President to restore the forts to South Carolina was reprehensible, Davis turned on him and asked how he got his information. Trumbull replied that it was common knowledge. Davis retorted that when he advised the President, he did not know South Carolina would secede. "I hope you did not," Trumbull sneered. "Why do you hope that, Sir?" said Davis. "Because it would be dishonorable." *Davis*: The Senator's sense of honor and my own are totally different. The man who would not have asked the return of the South Carolina forts to save bloodshed is a scoundrel.

Now, while Senator Davis was attending to his duties as a member of the Senate, advocating transcontinental railroads, large armies and navies and other permanent accessories, he was also mindful of his primary allegiance to Mississippi.²⁵ He and Governor Pettus were in constant communication; Davis wrote the Governor in regard to every movement for secession. In response to the Governor's letter asking where to purchase guns and munitions, he replied that New Orleans was the place.²⁶ The Gov-

²⁵ On January 5, 1861, a few days before he set out to lead the hosts of secession, he spoke, advocating the Pacific railroad.

²⁶ Rowland, IV, 559; Tate, 6.

ernor desired that Senator Davis would fix a date when Mississippi should secede. The Senator advised that this must not be later than March 4, "when the Black Republicans would take charge and pervert the Government."

Thus day by day, while the hot-heads of both sections were preparing a hell-broth to be pressed to the lips of women, children, and Unionists, information reached Senator Davis that Mississippi had seceded. The Senator made preparation for leave taking. His farewell address was prepared with care. It was temperate and affectionate. It stated his case plainly, clearly, and fully. No one could misunderstand it; every grievance was enumerated.²⁷

When it was known that Jefferson Davis would bid farewell to the Senate, the galleries were filled with eager visitors. Pale and careworn, the Senator rose. He had spent a sleepless night, neuralgia racked his face. There he stood, erect and unafraid. He could do no less, for he stood on constitutional grounds. Upon him, the most masterful spirit in the Senate, every eye was focussed. In a clear, mellow tone, he bade his fellow-senators farewell. He advised that Mississippi was leaving the Union as she had a right to do. This right he had conceded to Massachusetts in 1850; Massachusetts should now concede a similar right to Mississippi.

He maintained that the United States had done no wrong to Mississippi. It was the individual states that had wronged his state. Northern states had failed to return fugitive slaves; in this they had broken the Constitution. They had shut out slavery from the territories, again violating the Constitution. This conduct of the individual states was a breach of the original contract between the states. Secession was therefore the remedy. If the United States had violated the Constitution, secession would not be the remedy, but nullification. No other grievances save these had the South against her sister states.

"And now," the Senator concluded, "I feel no hostility towards you of the North—I wish you well and such is the feeling of my people. I express their desire when I say they hope for peaceable relations with you—I carry with me no hostile remembrances. Whatever offense I have given Senators, in this hour of our parting, I offer my apology for—any pain which in the heat of discussion I have inflicted. I go hence unencumbered of the remem-

²⁷ Mississippi seceded January 15, but Davis did not resign until the 21st.

brance of any injury received, and having discharged the duty of making the only reparation in my power for any injury offered. Mr. President and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu."

Deeply affected, Senator Davis closed and withdrew from the Chamber. Many eyes were suffused with tears. Senator Mallory was seen to weep copiously. Senator C. C. Clay was so overcome he could not articulate.²⁸ Three times now had Davis resigned from Congress: in 1846, to go to war with Mexico, enlarging the territory of slavery; in 1850, to run for Governor of Mississippi on the issue of extending slavery into California; and now to lead the southern people to battle because slavery had been excluded from Kansas and Lincoln had been elected.

No sooner had Senator Davis and his impetuous colleagues left the Chamber than the canny Seward moved to admit Kansas as a free state. The motion prevailed, and after a dozen years of knocking for admittance, "Bleeding Kansas" became a state of the American Union.

²⁸ Yankee Doodle, fare ye well,
Rice and cotton flout you.
Once we liked you very well
But now we'll do without you.

Yankee Doodle strove with pains
And Puritanic vigor
To loose the only friendly chains
That ever bound a nigger.

But Doodle knows as well as I
That when his zeal has freed 'em
He'd see a million niggers die
Before he'd help to feed 'em.

A song of 1861. New York papers, January 22, 1861; *Mercury*, Jan. 23.

CHAPTER XIV

THE BODY OF THIS DEATH

In the North, as I have said, the withdrawal of South Carolina created consternation. Such action had not been anticipated, the cry of secession having been so often raised and abandoned. A yearning desire to preserve the Union followed. In response to a resolution of Congress, every northern state took steps to repeal its personal liberty laws. Many states repealed them.¹ Moreover, another offer of the Republicans to preserve slavery in the states by a constitutional amendment was made. Late in February, a resolution was adopted by the requisite two-thirds vote and signed by the President—the first measure of the kind bearing the executive signature.²

These manifestations of friendliness made no impression whatsoever on Senator Davis and his stalwart associates. "You are too late," they exclaimed. "You may repeal all your personal liberty bills, but the southern movement will go forward."

If the conservatives of the North were alarmed, what shall be said of the Unionists of the South? They were stricken with horror—their condition was pitiful. They were being dragged into war, a useless and a foolish war, they thought. "Extreme secessionists and extreme abolitionists, moved and instigated by the devil," Jonathan Worth, a conservative North Carolina leader, afterwards governor, declared, "are forcing conditions upon us from which we cannot extricate ourselves." The Border States in particular were exasperated. A war to enforce the abstract right to carry slaves into Kansas, a war because Lincoln was elected! The bare thought was unendurable.

Judge Manly, of a strong southern family, wrote Chief Justice

¹ Rhodes, IV, 253.

² The Constitution does not require the President to approve a resolution of this kind. Lincoln also signed the Thirteenth Amendment as adopted. This amendment would have embalmed slavery in the states forever.

Ruffin of North Carolina begging him to avert the conflict.³ "It will not be creditable to the intelligence of the age," wrote Manly, "when posterity reads in the history of the country that our Nation was destroyed through strife in defending the status of a few Africans"; and even Yancey asserted, "The South is going out in the wake of an unfair issue."⁴

During the fall campaign, Union meetings had been held in the Border States, followed by resolutions of attachment to the Union. At the November election, Virginia and Tennessee had cast their votes for Bell and Everett—for the Union and the Constitution. Secession conventions were voted down and the Union press was declaring that secession had met its Waterloo.⁵

In Maryland, Kentucky, and Missouri, the victory for the Union was overwhelming and permanent. Even in Georgia, Alabama, Arkansas, and Texas, the little band of Unionists had stood firm. But their ranks were growing thinner. Secessionists were belligerent, tireless, and confident. When one secession convention was defeated, another would be called. Soap-box orators were in their glory, revelling in an opportunity to appeal to passion and pose as leaders. So unreal had the situation become, Jonathan Worth was writing, "Nobody is allowed to retain or assert his reason—and the cartridge box is preferred to the ballot box."

In Tennessee, Andrew Johnson, in his honest, homely way, was roaring, "Secession is hell born and hell bound!" and Parson Brownlow was threatening to put to death Yancey or any other secessionist who invaded the state. Judge Nelson favored whipping South Carolina back into the Union, and Congressman Dockery, of North Carolina, and Governor Houston, of Texas, concurred with Nelson.

The attitude of thoughtful southern Unionists towards secession may be seen in an incident connected with James L. Pettigru, the Charleston Unionist. The South Carolina Secession Convention was meeting in St. Andrew's Hall on Broad Street, near St. Michael's Church. Near-by Pettigru, sorrowful and heart-sick at the spectacle of a disrupted Union, was standing, when a stranger accosted him and wished to know the way to the insane asylum.

³ Hamilton, *Ruffin Papers*, III, 104.

⁴ Brown, 138.

⁵ *Raleigh Standard*, Feb. 21, 1861.

A relative of his was confined, whom he desired to see. "Is he dangerously insane?" Mr. Pettigru asked. The stranger replied that he was. "Then," said Pettigru, "I expect you will find him over there in St. Andrew's Hall!"⁶

The story is told of a rough mountain Unionist, who addressed a gathering at a crossroads. "For God's sake," said he, wildly throwing his arms in the air, "let South Carolina nullify, revolute, secesh, and be damned!"⁷

The Unionists of North Carolina were greatly agitated, Governor Graham, Governor Morehead, and other speakers canvassing the state. At Salisbury and at Wilmington, they made patriotic speeches. In January, 1861, Governor Graham addressed a great crowd of Unionists at Wilmington, advising them to abide in the house of their fathers.

"Secession, simply because we have been defeated!" Graham exclaimed. "Why, it is unthinkable. If we pursue this course, we will be little better than Mexicans. . . ." ⁸ "There is no such thing as secession. If we act at all, we should rebel, as our fathers did. We should defy the North, seize the public property, and plant our feet on defensible ground . . . Slavery extension is a poor issue on which to found a new government."⁹

Worth was likewise declaring, "We have the best government ever instituted and it would be unwise and suicidal to secede." The bare thought of calling a convention looking to secession moved North Carolina Unionists to indignation. In the state senate Worth, ex-Congressman Outlaw, and Morehead voted against calling a convention, and when it was called, protested.¹⁰ They declared that South Carolina was "trying to legalize secession," and they insisted that the constitution of the state of North Carolina did not authorize a secession convention. Moreover, the only way to change the Constitution was by an amendment. Governor

⁶ "In the great Civil War he withstood his people for his country, but his people did homage to the man who held his conscience higher than their praise. . . ." From Pettigru's tombstone in St. Michael's Churchyard.

⁷ Hill, D. H., I, 33.

⁸ *Wilmington Despatch*, January, 1861.

⁹ *Raleigh Standard*, Feb. 21; Connor, II, 135; Hill, D. H., Chap. 1; Fayetteville *Observer*, Feb. 4.

¹⁰ Hamilton, *Worth*, I, 129-133.

Worth, indeed, maintained that his oath forbade his taking part in such a convention.

Virginia, the home of George Washington, how torn and grief stricken she was! Her very mountains were in travail and soon brought forth West Virginia, a natural son—born out of lawful wedlock.¹¹

And the pity of Unionism in the South was its helplessness. Like Siamese twins, the Border States were bound to the Seceding States—a condition brought about by years of agitation and organization on the part of the secessionists. Rhett, Yancey, Governor Brown, and Wigfall, original secessionists, advocating disunion for the sake of secession and for personal and political reasons; Davis, Clingman, and Toombs, advocating secession because of a mistaken sense of honor—not as the object but as the means to attain that object. The establishment of their constitutional rights in slaves was their end; the means to attain that end was the threat of secession. Confusing the rightfulness of slavery with the sovereignty of the states, they threatened the timid, cajoled the strong, and appealed to their honor. Thus they pushed forward the secession movement. And their main ally was the northern abolitionist.

Worth was writing that abolitionism and democracy, moved and instigated by the devil, had “forced everyone under the one or the other banner . . . Democracy is only simulating harmony with Union men.” In this situation, how was it possible to stem the disunion tide? Hatred of the North, the appeal to southern manhood, the threat and danger of negro domination,—these were thrown into the scales and pressed down by ambitious leaders, filled with prejudice and disappointed hope. The Unionists were now powerless.¹²

The Far South was erecting an engine of destruction to be called the Confederacy—a creature they were falling down before and worshiping. Disunion was their hope—the preservation of their honor. Upon the brow of disunion was written, Death before Dishonor. Now all this the southern Unionists looked upon as mere rant and madness. “Who is oppressing the South?” they asked.

¹¹ West Virginia did not become a state by constitutional methods.

¹² Chadwick, 150.

"Name your grievance," said John Bell. "For the life of me I see no grievance sufficient to justify secession."¹³ "The politicians are wheedling the southern masses into war," said General Lee.¹⁴

Unionists therefore insisted that the secession movement was both useless and wicked. In the words of Saint Paul, secession was the body of death to which they were lashed. And who could deliver them from the body of this death? Day by day the horrid Thing grew, terrorizing the gentle-spirited southern Unionist, who shrank from the mere thought of a brothers' war.

In despair this gentle man looked out into the troubled future and his heart almost ceased to beat, while his wife, with blanched cheeks, hugged her infant to her breast and shed burning tears upon its upturned face.¹⁵

Senator Davis at this time came in for a large share of blame. The sneering and condescending manner in which he treated southern Unionists was most irritating. A few days before he quit the Senate, he turned upon Andrew Johnson with great scorn. Johnson had made an appeal for the Union and had declared that neither abolitionists nor secessionists could run him out of his father's house. "Fight it out inside the Union," he exclaimed. Senator Davis ridiculed Johnson's idea of a war inside the Union. "I wonder if the Senator's idea of a war," he sneered, "is what has caused the artillery company to be ordered here and the militia of this city to be organized!" Johnson explained that he meant the fight should be a constitutional one and inside the Union.

"Ah!" Davis came back, "he does not then intend to fight at all, a mere figure of speech, a sort of a revolution! As for myself, Sir, I would not thus attack the Government I am sworn to support."

Furthermore, the conduct of Senator Davis and other extremists in urging President Buchanan to surrender the Charleston forts to South Carolina excited the wrath of southern Unionists. The

¹³ *Globe*, 946, May 25, 1854.

¹⁴ Feb. 17, 1866. *Report of Commission of Fifteen*, 1st Session, 39th Congress, p. 1313.

¹⁵ The author gets this account from his mother. He was then an infant, aged six months. . . . Blaine, I, 311, insists that Bell and Badger could have held Tennessee and North Carolina from secession, but he little understood the sweep of the movement. Greeley, I, 325.

Whig press characterized such conduct as treasonable.¹⁶ The Union-loving Worth denounced treason and called a meeting in the Quaker county of Randolph, North Carolina, January 3, 1861, when resolutions condemning the course of the secessionists were adopted. Outraged by "the malignity and duplicity of the secession Democrats," Worth wrote another Union leader, "I confess my humiliation and indignation, as I think of how we have been forced to submit to subjugation."¹⁷

Thus during the late winter of 1860 and the early spring of 1861 the battle for and against secession raged in the Border States. But the secessionists were constantly gaining the advantage, exciting the poorer southern whites by picturing the horrors of emancipation and the setting free of four millions of slaves. These appeals but added to the bitterness of the Unionists. They knew them to be spurious; they felt no sense of oppression. They well knew that the Government at Washington was pro-southern, the Senate, the House, and the Supreme Court—southern and Democratic. Though a Republican had been elected President, his hands were tied by the Constitution, and also by the judicial and legislative departments.

Furthermore, Lincoln had often declared his allegiance to the constitutional guarantees of slavery and had favored the return of fugitive slaves. "I have neither the power nor the disposition to interfere with slavery in the states," he declared. Southern Unionists therefore asked, "Why should the people be forced to drink blood for four long years?" The plea that hostile tariff legislation justified disunion seemed equally specious to southern Unionists. Since 1846, the Walker tariff had been in force, a measure hand-picked by the South. It had been changed but once, in 1857, a slight change concurred in by southern votes.

The views of southern Unionists were well put by Tom Corwin of Ohio, author of the Thirteenth Amendment, to which I have just referred. In a spirited and humorous speech, he depicted the glories of the South in days gone by and its promise of the future. He called attention to the extent of its territory. How self-sus-

¹⁶ Knoxville *Whig*; New Orleans *Picayune*; Richmond *Whig* for December, 1860, and January, 1861; Fayetteville *Observer*, January 14 and January 16, 1861.

¹⁷ Hamilton, I, 148. The author's father was Governor Worth's Counsellor of State.

taining the South might become! It stretches from Delaware to Mexico and embraces seven and a half million square miles. What more does the South need, he asked, than what she had and might have? He spoke of her fruits and flowers, her soil and water power, her climate and minerals. If the South would remain in the Union and work out her destiny, he had no fear of her future.

Southern Unionists, moreover, discounted the abuse of abolitionists. When Seward characterized slavery as a harlot and a harpy, they knew he was speaking largely for political effect. They refused to get unduly excited when Mrs. Stowe wrote or Giddings and Wendell Phillips ranted. Conscious that slavery in the South, as regards the slave, was a civilizing agency, transporting barbarians from the jungles of Africa and making something better of them, southern conservatives went their way undeterred.

They would not play the baby, fly into a tantrum and bring on war because of words spoken by an abolitionist a thousand miles away. In truth, they knew that the rabid abolitionist had been put out of commission.¹⁸ Not since 1844 had the abolition party nominated a candidate for President. So far spent was abolitionism in the North, Wendell Phillips declared the United States government was honeycombed with slavery and, in 1859, organized a movement in favor of secession by the North.¹⁹

And yet, Wendell Phillips looked to southern Unionists much the same as Jefferson Davis. If Wade and Sumner, Collamer, Seward, and Hale had played politics to elect Lincoln, had not Davis and Slidell and Benjamin played politics to disrupt the Democratic party and to defeat Douglas? Was not the object of these men, representing the two extremes, identical, though their methods were different? ²⁰

Undoubtedly, at an early period, southern Unionists should have been bolder and more aggressive; they should not have waited until secession was accomplished to organize against it. They should have accepted Webster or Clay as their leader, formulated a clear-cut platform, and waged a bold confident fight.

In the 1840's and 50's, Union leaders such as Bell and Benton, Stephens and Badger, Clemens and Clingman, should have done

¹⁸ *Hopkins Studies*, No. 37, p. 11.

²⁰ Hodgson, 509.

¹⁹ Simons, 217; Hart, 218 and 309.

more than debate slavery and secession; they should have organized, tackled those great subjects, fought the devil with fire, and arranged for gradual emancipation. There was a strong Union sentiment in the South which should have dealt with slavery in the light of advancing civilization. The Wilmot Proviso and gradual emancipation should have been traded for ample compensation.

The common people should have been reached and enlightened. When Davis circulated his speeches depicting the horrors of abolition, the Unionists should have met him with the statement that the war he was precipitating would bring about the evils he would avoid. When Ohio and the West proposed to meet the southern states half-way and deal with slavery, the offer should have been accepted. A plan of gradual emancipation, with compensation and removal or colonization should have been arranged. If properly managed, colonization would have received the support of all except the extremists.²¹

Landless and non-slaveholding poor whites should have been made to understand they were being exploited, consciously or unconsciously, to preserve an industrial system which made "mudsills" of them. They should have been advised that slavery destroyed free labor and that when slavery was abolished the landed estates would be cut into small farms available to the poor. In a word, the eyes of the great southern masses should have been opened to the fact that the Davis idea that slavery was all good was a humbug.

In January, 1861, ex-Governor Manly of North Carolina declared that "the Devil and Bankrupt Politicians are sinking the great Nation to ruin and contempt." The Governor should have said this earlier. I would not minimize the difficulties in the way of emancipation. The mighty Cæsar, who realized that slavery was an evil, was powerless to get rid of it. But it would seem that nineteen hundred years of civilization would have taught southern leaders something. Business men of the North would have backed southern Unionists in an honest effort to get rid of slavery, with compensation; and there was territory a-plenty in which the freed negroes might have been located.²²

As day followed day, in the fatal year 1861, and Jefferson Davis, from his place in the United States Senate, directed the secession

²¹ Fish, 278.

²² Oberholtzer, I, 74.

movement, he was racked in body and mind. All during the night, following his farewell address, he paced his bedchamber, falling on his knees and praying that "God will have us in his holy keeping and grant that before it is too late, peaceful counsels may prevail."²³ This prayer of the Senator implied peaceful secession, as he was soon asserting that the separation from the North was final and no union would ever be considered.²⁴

Senator Davis's chief concern was with Fort Sumter, now held by the United States. Sumter must not be attacked until a southern government was organized. In order to preserve the status at Sumter, Davis called a conference of stalwart southern senators and representatives. The result was a letter addressed to Governor Pickens. Davis advised Pickens that the Far South would soon join South Carolina in secession. Pickens was requested, therefore, not to attack Fort Sumter. If Davis could carry this point and prevent bloodshed till the strategic moment, he would gain a decided advantage.

Blood is thicker than water, and one drop of blood, secessionists knew would unify the thorough-going, brave, impetuous southern people. But that drop must not be prematurely shed. The framework of the new government must first be created, an organization effected, a president elected, an army raised, a flag—hallowed by the prayers of gentle women—unfurled, and all the other accessories of death and destruction provided.

²³ *Memoir*, I, 699.

²⁴ Rowland, V, 48. Address at Montgomery.

CHAPTER XV

SPRINKLE SOME BLOOD

Ex-Senator Davis and wife remained in Washington one week after his farewell to the Senate. They were arranging to quit a city which had been their home for fourteen years. The rumor that the Senator would be arrested for treason proved unfounded; he would have welcomed an opportunity to test that question. The Senator bade an affectionate adieu to Caleb Cushing, then in Washington as a go-between in the Charleston fort situation.¹ He also wrote his old friends, Pierce and Jones, bespeaking their sympathy. He knew they would never be found among his enemies. Pierce replied that if an army should attempt to march South, there would be bloodshed in the North.²

The day before his retirement, Senator Davis had assured Governor Pickens that his quiet hours were mostly spent in thoughts of Sumter and Charleston Harbor. He requested the Governor not to cut off supplies as "the little garrison in its present position at Sumter presses on nothing but a point of pride, whereas war is made of real elements and there will soon be a southern confederacy ready to do all which interest or even pride demands, and in the fullness of a redemption of every obligation . . . *The Star of the West* incident has put South Carolina in a favorable light before the world."

All matters being now arranged, Colonel Davis was ready to set out upon his great adventure. He had made the plunge and was off with the old government and on with the new. His route to Mississippi lay through southwest Virginia and Tennessee, and at Chattanooga he was called upon to address the crowd. He re-

¹ In the 1870's, Cushing was appointed Chief Justice by Grant, but the Senate failed to confirm—a letter of Cushing's to President Davis, dated March, 1861, and recommending a friend to the Confederate President being the cause.

² This letter was found by Grant's troops in 1863 at Brierfield; Rowland, III, 358.

sponded, urging Tennessee to join South Carolina in secession. A Unionist in the audience objected to interference by a stranger and declared that Tennessee could attend to her own affairs without Colonel Davis's advice. This interruption the Colonel resented. The native Tennessean was anxious to assert his manhood and so was Davis, but the impending clash was averted by friends.

An enthusiastic welcome all along the way greeted Colonel Davis and late in January he arrived at Jackson, Mississippi. Here new honors awaited him. "Glamis thou art and Cawdor," the weird sisters would have hailed him, "and shalt be what thou art promised." A commission from the "Republic of Mississippi" was handed him. He had just been chosen Major General of the Mississippi forces, an office he greatly coveted and which Governor Pickens had urged him to accept, insisting that the military department was more important than the civil.³

At the end of a week devoted to military affairs, General Davis and his family ran over to Brierfield to make ready for a long absence. He called up the negroes and distributed useful articles among them. To an elderly rheumatic he gave a rocking chair; to other afflicted ones, cochineal flannels and blankets. "You may have to defend your mistress and her children," he said, "and I feel I can trust you."

On February 10, the General and Mrs. Davis were out in the garden making rose cuttings, when a messenger arrived bearing news of still further honors. The day before General Davis had been elected President of the Confederacy, organized at Montgomery, and composed of South Carolina, Florida, Mississippi, Alabama, Georgia, Louisiana, and Texas.⁴

A silence "as if a sentence of death had been pronounced" fell upon man and wife. The all-devouring organism which Senator Davis had done so much to create was turning to its creator to guide and direct it.⁵ Mrs. Davis was much distressed; she knew her impetuous husband too well to feel that he could successfully direct a civil government.⁶ "I thought Mr. Davis's genius was

³ Rowland, V, 46.

⁴ They had seceded respectively December 20, January 7, 9, 11, 20, 26, and February 1.

⁵ Rowland, *Encyclopædia*, I, 624.

⁶ *Memoir*, II, 12.

military," she wrote, "but that as a party manager he would not succeed." On February 12, the General sent in his resignation to Governor Pettus, feelingly acknowledging the honor done him by the "Republic of Mississippi." In a few days, the President-elect set out for the Capital of the new Confederacy, leaving wife and children at Brierfield.

As the presidential party moved along, the cheers and huzzas of gallant Mississippians and Alabamians rent the air. Cannon were discharged, and the President delivered no less than twenty-five speeches. He did not expect war, but if war came it would be long and bloody.⁷ At Montgomery a vast concourse, including fiery secessionists from the Potomac to the Gulf—W. L. Yancey one of these—greeted the Hero of Buena Vista, the Gamecock of the South, the hope of the new government. Loudly a speech was called for, and the President met the expectations of the most advanced Southerner. "The time to compromise has passed," he exclaimed, "and those who oppose us will smell powder and feel southern steel . . . No Compromise, no Reconstruction, no Reconciliation can now be entertained." (*Tremendous applause.*)⁸

The following day came the inaugural ceremony, Rhett and Yancey much in evidence. In a temperate address, the new President recited the events leading up to the formation of the old government and dwelt on the reserved right of each state to resume the authority delegated to the general government. He saw "no antagonism between the agricultural South and the manufacturing states of the Northeast." It must follow, therefore, "that a mutual interest will invite good and kind offices . . . As a necessity, not as a choice, we have resorted to the remedy of separation, and henceforth our energy must be directed to the conduct of our own affairs . . . If the United States are guided by reason, they will not seek to inflict injury on us; if they do, the sufferings of millions will bear testimony to the folly and wickedness of the aggressors. . . . Reverently invoking the God of our fathers to guide us, we look forward to success, to peace, and to prosperity."

The President did not touch on slavery—slavery being a delicate subject. The new Confederacy was centering its hopes on foreign

⁷ *Harper's* XXXI, 610.

⁸ "The separation is perfect, complete, and perpetual," thus Stephens interpreted Davis. Stephens, II, 525; *Charleston Mercury*, February 19.

aid, and human slavery was the chief obstacle to recognition abroad.⁹ Moreover, the "Republic of Mississippi" had just expressed President Davis's views on the relation of slavery to secession. Its convention had declared, "Our position is thoroughly identified with the institution of slavery. A blow at slavery is a blow at commerce and civilization . . . There was no choice left us but submission to the mandates of abolitionism or the dissolution of the Union."¹⁰

Forthwith President Davis plunged into his new duties, working from nine in the morning until six in the afternoon. He selected a cabinet, appointed foreign ministers, purchased arms and munitions abroad, took charge of military affairs, and generally directed the new government. The Convention, which had been called on January 2 at the instance of South Carolina and upon a resolution of the Mississippi legislature, on January 19, had adopted a constitution almost identical with the old constitution.¹¹ It likewise acted as a provisional congress and passed laws. It provided for the necessary revenues, levied an export duty on cotton, enacted the Tariff of 1857,¹² prohibited the African slave trade, and authorized the President to borrow fifteen million dollars on Confederate bonds.

The chief changes from the United States Constitution may be summarized as follows: In the preamble, the aid of Almighty God was invoked; the President was to be elected for six years and was ineligible to reelection. Members of the cabinet might sit with Congress and take part in the debates.

The proceeds of Federal taxes were to be applied strictly to governmental agencies such as harbors, rivers, and public buildings, and could not be applied to foster industrial enterprises or for commercial purposes.

The word "slave" was used. The foreign slave trade was forbidden. The domestic slave trade and the extension of slavery into new states or territories were guaranteed. The right of property in slaves could not be impaired and fugitive slaves should be

⁹ *New York Tribune*, February 6.

¹⁰ *Journal of Mississippi Convention*, 86.

¹¹ MacDonald, 425.

¹² *Mercury* attacked this tariff and at once began opposition to Davis, February 12.

returned. Slave owners with their slaves had the right of travel and sojourn without let or hindrance.

Two or more states might combine to improve rivers dividing them or flowing between them. The right of Congress to appropriate money was restricted and safeguarded—indeed was prohibited in larger matters, except by a two-thirds vote.

As will be seen from this summary, President Davis was now dominant and all his principles, except the reopening of the slave trade, were part of the Confederate Constitution. These contentions were state rights, free trade, and the protection of property in slaves. Now so great was the President's influence and so masterful was he, dissensions arose among the delegates almost at once. Extreme southerners wished the foreign slave trade reopened; others were opposed to the restrictions of any constitution, and many were restless under Davis's mastery.¹³ Delegate Withers of South Carolina resigned and went to his home. When asked why he had resigned, the old judge retorted, "Oh, I was dead tired of seeing Chesnut [his associate] play rug dog to Jeff Davis!"¹⁴

Because of the President's familiarity with the national Constitution, he had no difficulty in the performance of his new duties. But his task, keeping peace among belligerent and self-assertive advisers, was beyond human power—certainly beyond the power of one who was himself sometimes choleric. At all events, the President did his best, endeavoring to placate all parties in all sections.

His Vice-President, Alexander H. Stephens, a bachelor and a mite of a man, was devoted to the old Union and full of excellent intentions, but unable to cope with a revolution. Almost from the beginning, Davis and Stephens became estranged—undoubtedly the result of their previous party antagonisms. Cabinet members were little better fitted for their places than Vice-President Stephens for his. Each state was recognized. Robert Toombs of Georgia was named Secretary of State and presently joined his friend Stephens in opposition. Characterizing President Davis as "a fool and utterly incompetent," Toombs soon washed his hands of Davis.¹⁵ But this was Toombs's way. In action he was con-

¹³ Tate, 89.

¹⁴ This incident furnished the author by Judge Withers's grandson.

¹⁵ Stovall, 246.

servative, in speech violent, and no one paid attention to the liquor-guzzling, throat-whiskered, and truly eloquent Georgia agitator.

L. P. Walker of Alabama, Secretary of War, was a misfit. An untried man, Walker soon startled the North and upset Davis's plans for peaceful secession. "Before May 1," he had exclaimed in a public address, "the Confederate army will be marching down Pennsylvania Avenue, the Confederate flag will fly over the old Capitol at Washington, and eventually over Faneuil Hall." Walker soon resigned. Mallory of Florida, Secretary of the Navy, had no navy to command, but soon got busy and created one.¹⁶ Memminger of South Carolina was poorly fitted for the Treasury.¹⁷ Attorney General Benjamin of Louisiana, and Postmaster General Regan of Texas, filled out the cabinet. The suave Benjamin, a man of the world and of doubtful reputation, was not only the brains of the cabinet, but one of the great lawyers of the day. Benjamin, Mallory, and Regan remained true to President Davis until the very end.¹⁸

In selecting a commission to represent the new government at Washington, the three political parties were recognized. A. B. Roman, of Louisiana, had been a Bell and Everett Whig, M. J. Crawford, of Georgia, a Breckinridge Democrat, and John Forsythe, of Alabama, a friend of Douglas.¹⁹

¹⁶ Tate, 90.

¹⁷ Stephenson, *The Day of the Confederacy*, 157; Alfried, 245.

¹⁸ During its existence the Confederate cabinet was constituted as follows: Secretary of State: Robert Toombs, to July 26, 1861; R. M. T. Hunter, to Feb. 17, 1862; W. M. Browne, *ad interim*; J. P. Benjamin, March 18, 1862. Attorney General: J. P. Benjamin, Feb. 25, 1861; Thomas Bragg, Nov. 21, 1861; Wade Keys, *ad interim*, George Davis, Jan. 2, 1862. Secretary of the Treasury: C. G. Memminger, Feb. 21, 1861; G. A. Trenholm, July 18, 1864. Secretary of the Navy: Stephen R. Mallory, March 4, 1861. Postmaster General: H. T. Ellette, Feb. 25, 1861, declined; J. H. Regan, March 6, 1861. Secretary of War: L. P. Walker, Feb. 21, 1861; J. P. Benjamin, Nov. 21, 1861, was also acting from Sept. 17, 1861, to Nov. 21, 1861, and from March 18, 1862, to March 23, 1862; G. W. Randolph, March 18, 1862; G. W. Smith, Nov. 17, 1862; J. A. Seddon, Nov. 21, 1862; J. C. Breckinridge, Feb. 6, 1865—Wright, M. J., *General Officers of the Confederate Army*, 151, New York, 1911.

¹⁹ The U. S. Postal Service operated in the Confederacy until May 31, and officers of the old states continued to serve in the new. No Supreme Court was ever organized, only a few Confederate district courts, such as those at Mobile and Charleston, being created. There were five sessions of Congress in Montgomery and six in Richmond. Schwab, 221.

Thus was the stage set for the coming tragedy. A Confederacy of nine million southerners was facing a Nation of thirty-one million northerners, and each country was typified in its chief executive. Davis, formal, self-sufficient, lacking in humor, aloof from the vulgar crowd, standing for caste, for privilege, and for mediævalism: Lincoln, gawky, full of mother-wit, patient, self-effacing, his long rough fingers touching every key on the instrument of life, standing for the evolution of modern man through an ever-widening democracy.

On February 18, Davis was inaugurated President of the Confederacy. On March 4, Lincoln was inaugurated President of the United States—the task of the one to disrupt the Union; the task of the other to preserve it. And the immediate problem confronting each the same: “What shall be done with Fort Sumter?”

At Montgomery, there was neither doubt nor hesitancy. In secret session, the Congress had resolved that Fort Sumter should be taken and the President had been given full authority in the premises. On February 22, the Confederate flag had been hoisted over the custom house at Charleston, and Governor Pickens had reluctantly assented to the relinquishment of his authority to President Davis.²⁰ On March 1, Beauregard, the most promising of southern generals, had been given command of Charleston harbor—Fort Sumter now the only spot in the state flying the United States flag. All the other forts were under the Stars and Bars.

At Washington, on the contrary, all was doubt and uncertainty. Well-nigh since the formation of the Government, Washington had been under southern influence and that influence was still potent. Furthermore, Lincoln was an uncouth Westerner, distasteful to the kid-glove element of his own party; Seward, Governor Andrew, and General McClellan looked down upon “the parvenu.” The North, too, was divided, a majority perhaps opposing the coercion of South Carolina. The abolitionists regarded her departure as a happy riddance and the business world, desiring peace at any price, was opposed to war. New York proposed to become an independent city.

Scarcely was Lincoln’s inaugural over, scarcely had his pathetic words echoed from the balcony of the Capitol—“I have neither the power nor the wish to interfere with slavery in the states. I

²⁰ Rowland, V, 56, 58.

will have no war with our brethren of the South, unless they provoke it, but under my oath, I must preserve and protect United States property wherever the flag floats"—before a letter was presented from President Davis.²¹ The Confederate President would introduce his commissioners to President Lincoln and "would ask such reception and treatment as corresponded to their station and mission." This letter Lincoln refused to receive, nor would he recognize or meet with the commissioners.

But the matter was too serious to be ignored. The United States must relieve Sumter or recognize the Davis Government and be discredited among the nations of the earth. Meanwhile, the Confederate commissioners were seeking out Seward, Davis's old friend, and Lincoln's Secretary of State. Since his defeat for the Republican nomination, Seward had become less belligerent on the slavery question and was now looked to as a peacemaker. If Seward would promise that Sumter would not be provisioned, no hostile demonstration would be made at Charleston.

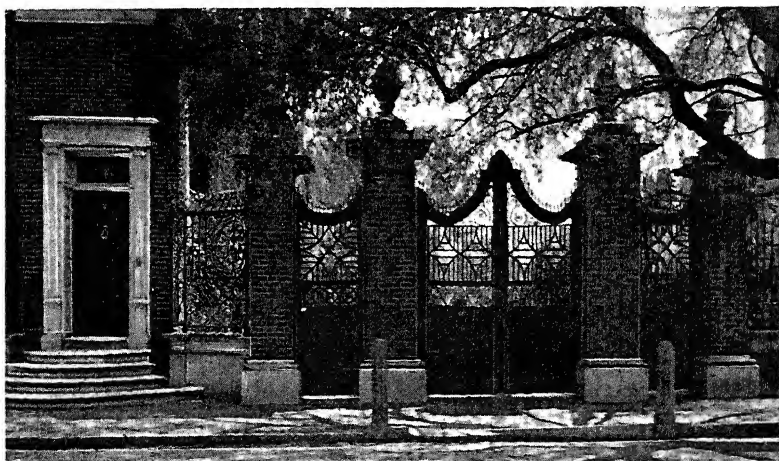
Seward declined to meet the commissioners or confer with them, but agreed to see Justice Campbell of the Supreme Court and talk over the Sumter situation informally. At first Seward gave Campbell to understand he was without authority. On March 15 and 22, in conferences with Campbell, Seward, however, did agree that Sumter would not be provisioned. This agreement was made known to the Confederate commissioners and was telegraphed by them to the Davis Government.

At a later date, and after Lincoln had concluded to relieve Sumter, Seward again met Campbell and changed the former agreement. He then stated that Sumter would not be relieved *without notice*. Now Lincoln undoubtedly knew that Seward was dicker-ing with Campbell, but he did not authorize an agreement to surrender Sumter. It is reasonable to conclude that Lincoln merely agreed to give notice before sending reinforcements.²²

President Lincoln undoubtedly desired to avoid war. But war could be avoided only by surrendering Sumter to the Confederacy, which meant the recognition of the Davis Government. By the

²¹ Richardson, 55.

²² Seward deceived Campbell, Stephens, II, 744; Seward's famous "Memorandum" of April 7, handed to Campbell, "Faith with Sumter fully kept, wait and see," meant more than the mere agreement to give notice—it meant Sumter would not be relieved.



GATEWAYS OF CHARLESTON

Above: The Simonton Gateway, Legare Street.
Below: The Smyth Gateway, Legare Street.

last of March, indeed, the situation at Sumter had become acute. As we have seen, Anderson, on the night of December 26, 1860, without orders and against the policy of President Buchanan, had removed from Fort Moultrie to Fort Sumter—one of the most unusual and far-reaching exploits in American warfare.²³

Since then, Anderson had lived a life of torture, his little army, women and children included, stalled on an island, a scant acre of sand and rock. Without food, except such as was brought over from Charleston before supplies were cut off, Major Anderson was daily beset by the agents of Governor Pickens and President Davis, who demanded his evacuation. Less than a mile across the water, frowning guns were being installed and fortifications erected, preparatory to his destruction.

One day a shell from a Confederate battery struck the parapet of Sumter and it seemed the bombardment had begun. But no, the Confederates had not intended to hit Sumter; they were merely practicing to get the range for the real battle then imminent. A courteous committee waited on Major Anderson and apologized for the mischance.

In this state of affairs, Charleston occupied the center of the stage; it had become the most noted place in America, far more noted than Washington. Charleston had news-value; Washington had none. Davis was a live wire; Lincoln was flat and dull. Illustrious men, wise and full of counsel for Governor Pickens, swarmed the streets of Charleston. Down came Senator Wigfall and Congressman Roger A. Prior. The venerable Edmund Ruffin, of gentle countenance and Franklin's benign face, spent months in Charleston, his curly locks reaching down to his shoulders. Duly, these wise men were enrolled as members of the Palmetto Guard and were accorded the rank of Colonel on Beauregard's staff.

Reporters and artists, representing the press of the world, were in evidence: Russell of the *London Times*, representatives of New York and Boston dailies and of *Harper's* and *Frank Leslie's*. Illustrated papers bristled with Confederate scenes—Fort Sumter, Secession Hall, the famous Battery, General Beauregard, Major Alfred Rhett, and President Davis. In comparison with the mad, wild, gay scenes transpiring on the Battery, which overlooked

²³ Floyd, Secretary of War, berated Anderson for thus violating orders. Crawford, 145.

Sumter, Washington was chopfallen. The Capital on the Potomac cut but a poor figure. Lincoln was a bad second to the gallant Davis. A correspondent of *Frank Leslie's* broke his usual rule that he would express no opinion and wrote that he favored secession and that every man, woman, and child in South Carolina would die the death before they would surrender.

In the issue of April 4, *Frank Leslie's* repeatedly cartooned "Old Abe," once as a cheap story teller, peddling a smutty joke to a vulgar crowd, again sitting on Confederate bayonets, hiked up in the air, and screaming with pain. Wild and conflicting rumors came from Washington: Lincoln was going to let Sumter go and recall Anderson, as General Scott, Douglas, and Horace Greeley advised. On this rumor stocks rose and business picked up. This rumor would be followed by another that Sumter was to be relieved and a civil war follow. Stocks would then crumble.

The truth is, Lincoln's cabinet was as badly divided as the country generally. At a meeting of the cabinet on March 29, Seward and Smith favored abandoning Fort Sumter. Chase, Wells, and Blair maintained it should be relieved, and Bates was undecided. When the cabinet adjourned, Lincoln made up his mind to relieve Sumter and directed the Secretaries of War and Navy to get ready an expedition by April 6 "to be used or not, according to circumstances."

Since the inauguration of Davis, both Washington and Charleston had been playing for time. Charleston and the Montgomery Government wished to get the forts around Sumter supplied with guns and men: Washington was anxious for news from the commercial centers, Boston, New York, and Philadelphia. And both had succeeded.

Before steps to relieve Sumter were taken, the Charleston forts were equipped with eleven frowning batteries and forty-seven guns. These bristled across the water, menacing the devoted little Union fort, while ten thousand picked men, among the bravest and best of the South, stood by to die for the cause.²⁴ Washington, too, had gained its purpose. Lincoln had obtained information from the governors of northern states that their people earnestly desired that America remain a nation and be not broken into discordant parts.²⁵

²⁴ Crawford, 472.

²⁵ Stephens, II, 84, 354.

On April 8, Lincoln caused notice to be sent to Pickens and Beauregard that Sumter would be relieved at once. On the next day a small fleet consisting of merchant ships and a few tugs set sail from New York for Charleston harbor. The powerful war vessel, *Powhatan*, had been assigned to this duty by Secretary Wells, but had been deflected by the hopeful Seward and dispatched to Florida, leaving the fleet without proper support. Governor Pickens flashed Lincoln's startling news to Davis.

Never was a city more intoxicated with joy than beautiful Charleston on that April day. On the night of the tenth, thousands gathered in front of the Charleston Hotel. The festive throng stretched beyond the Market Place and almost to Secession Hall, where a year before the Democratic party had broken to pieces and ten months later the Union had been dissolved. Their joyous shouts no doubt animated the shades of Calhoun in St. Phillips's churchyard hard by. A great event was staged—Roger A. Prior, the droll, inimitable Virginia orator, versatile, impossible, picturesque, was booked to address the multitude: his subject, Sumter. . . . Presently he appears on the balcony—a gentleman of the old school with long coat and longer hair—flanked on the right and on the left by a long row of stately columns of Greek design.

Gracefully he alludes to gallant South Carolina. For three months she stood alone and unaided. But she no longer stands alone—six loyal sisters have come to her aid. Soon others will come, and what of Virginia? "As sure as to-morrow's sun shall rise, Virginia too will come in. Give the old lady time, don't press her too hard, she is a little slow and rheumatic and there's a little trouble up in the Pan Handle" . . . (Laughter and uproarious applause). "But if you would bring in Virginia in one hour by Shrewsbury's clock, strike a blow—sprinkle some blood in her face!"²⁶

The following day President Davis directs Beauregard to demand the surrender of Sumter. Ex-Senator Chesnut, Lieutenant Colonel Chisholm, and Captain Lee, of Beauregard's staff, are dispatched on this mission.²⁷ At three o'clock, Anderson refuses to surrender, but informs the messengers he has only food sufficient for three or four days and will soon be starved out. Beauregard wires Anderson's reply to Montgomery . . . Davis calls together

²⁶ *Mercury; Courier*: April 11.

²⁷ Stephenson, 17.

his cabinet and asks their advice. All except Toombs vote for war.

"Never!" thunders Toombs, as to and fro he paces. "Sirs, such course is suicidal—a mere point of pride. Fire on the flag and you stir up a hornet's nest!"²⁸ President Davis assumes the responsibility. "The design of the United States is apparent," he explains. "They wish to place the besieging forts between the simultaneous fire of fleet and fort . . . Nothing therefore remains but to reduce Sumter before the Union fleet arrives."²⁹

This conclusion is wired to Beauregard at Charleston. It is now twelve-forty-five on the morning of the twelfth. The excited crowds which have swarmed the Battery since noon have retired. Beauregard's staff again visits Sumter. Anderson deliberates. At three-fifteen A.M. he decides. Guardedly he agrees to surrender the fort by the fifteenth, *unless* Washington orders him not to do so, or *unless* he is relieved by the incoming fleet or *unless* some hostile demonstration is made against him.

"This is no answer," the messengers indignantly replied.³⁰ "It is manifestly futile," and casting the sword of Brennus in the scales they deliver their cartel and appeal to the god of battle.³¹

Fort Sumter, Apr. 12, 1861.

3.30 A.M.

Sir: By order of Brigadier General Beauregard, commanding the provisional forces of the Confederate States, we have the honor to notify you that he will open the fire of his batteries on Fort Sumter in one hour from this time.

We have the honor, etc., etc.,

CHESNUT,
LEE.

Their mission ended, the messengers take hasty leave . . . Soon the batteries around are lighted up and the busy hum of preparation is borne across the harbor . . . At 4:30 A.M. the harsh roar

²⁸ Stovall, 226.

²⁹ Richardson, Message of April 29 to Congress.

³⁰ Alfried, 263: "Davis signed the order for the reduction of Sumter but did not thereby invoke the calamities of war."

³¹ Rhodes contends the "guilt" of firing the first shot must rest on Beauregard's messengers. The careful historian misses the point—firing the first shot at Sumter was not a guilt but a glory, in the eyes of Southerners, scores of whose families now contend for the honor. Davis, J., *Short History of the Confederacy*, 71.

of a mortar from Fort Johnson breaks the stillness: it is a signal to the batteries at Moultrie and on Morris Island to open fire. Up and over comes the missile from the signal gun, bursting just above the Fort.³² Again there are a few moments of deathlike stillness. Then from Stevens's Iron Battery on Morris Island a mighty roar is heard. A Columbiad has belched forth its deadly contents.

The deed is done: the first gun of the war has been fired: the lanyard pulled by the venerable Edmund Ruffin.³³ In a few moments the heavy guns at Moultrie leap into action, and the Floating Battery and Stevens's Iron Battery again and the enfilading fire from Sullivan's Island. Anderson makes no reply. Not until six-thirty o'clock do the United States batteries open fire. Then, unlimbering his barbette guns, Anderson fires directly at Stevens's Battery. The shot glances off, "as harmless as a boy's marble against a turtle's back," provoking the derisive laughter of the Confederates.³⁴

For thirty-six hours the duel continues. Then, the woodwork of Sumter catches fire, the powder magazine explodes, and little is left of the gallant fort to tell of Anderson's brave fight.³⁵ And yet the old flag continues to fly, unhurt by the bursting shells. But presently the flag staff is shot away, the men suffocate and wrap wet blankets over their faces, then the fires of Sumter are heard no more.

Colonel Wigfall, hastening across from Stevens's Battery, salutes the gallant Anderson, urges him to surrender, insists that further resistance is useless . . . A parley ensues, and honorable terms of surrender are arranged. . . . At twelve o'clock on Sunday, April 14, in the presence of Governor Pickens and his staff, Fort Sumter passes into the hands of President Davis. As the salvos of a hundred guns sound across Charleston harbor, and echo through the home of the distraught Pettigru and against the walls of historic St. Michael's, the Old Flag is hauled down. In its stead the new Stars and Bars is run up.

A portion of the little Union fleet, mostly merchant vessels, had

³² Fired by Captain George S. James. Crawford, 427.

³³ Four years later when Lee surrendered, this thoroughly consistent man blew his brains out, he had nothing more to live for. *Harper's*, April 29, 1865; Prior, 121.

³⁴ Charleston papers, April 13, 14, 15; Johnson, John, 5.

³⁵ Simons, *War of the Rebellion*, Vol. I, Series I, 35.

arrived in Charleston harbor in the gray morning of the twelfth and witnessed the fight. The powerful battleship, *Powhatan*, however, was on its way to Florida and some of the tugs had been detained by strong winds. No aid was therefore rendered Anderson by the fleet. The anger of Secretary Wells knew no bounds . . . Four years later to the day, General Robert Anderson ran up the United States Flag at Sumter, the identical Flag he had lowered in 1861, now in the War Department building at Washington.

"Strike a blow," Prior had urged. "Sprinkle blood!" And truly a blow had been struck and blood spilt,³⁶ and "in less than an hour by Shrewsbury's clock" Virginia, North Carolina, Arkansas, and Tennessee had come in and were singing the war cry, as Prior had predicted.³⁷

Wake every minstrel strain,
Ring o'er each Southern plain
God save the South!
Still let this noble band
Joined now in heart and hand
Fight for our sunny land
Land of the South.

But if sprinkling a little blood had solidified the South, the firing on Old Glory had enraged and unified the North. The very next day, Lincoln called for seventy-five thousand volunteers. Soon he declared a blockade of southern ports, negotiated a loan of four hundred million dollars, and enlarged the call of volunteers to five hundred thousand.³⁸ Lincoln's action in declaring a blockade was a master stroke—it deprived the South of arms and munitions from abroad.³⁹

In this dangerous situation, what was President Davis to do? He, too, called for volunteers and they came, came by the thou-

³⁶ No one was killed at Sumter though several were wounded. Sumter was never captured.

³⁷ Virginia, April 28; North Carolina, May 1; Arkansas, May 8; Tennessee, June 8. When North Carolina seceded, cannon boomed and church bells pealed forth; the venerable Badger, a delegate from Raleigh to the convention, removed himself from the Hall, and as he strolled home was heard to murmur, "They are tolling the death of slavery."

³⁸ April 19; July 17; July 22.

³⁹ Stephenson, *Lincoln, etc.*, 173.



SERGEANT HART NAILING THE COLORS TO THE FLAGSTAFF,
FORT SUMTER

sands—gallant young men, the pride of the South. But no arms awaited them, and no supplies. President Davis's country was agricultural and had few factories. It was inadequately supplied with munitions of war, though all United States forts and arsenals inside the Confederate lines had been seized, and the mint at New Orleans with nearly a half million of gold. So inadequate was the supply of arms, not one-fourth of the volunteers could be equipped and sadly the young fellows returned to their homes.

Evidently the only way to meet this situation was to manufacture arms as fast as possible and also purchase abroad. Davis, therefore, dispatched a commission of three with W. L. Yancey, chairman, to Europe, but they were given little authority to negotiate and less money to go upon. Soon the rights of belligerents were accorded Davis's government, and his sailors and soldiers were saved the doom of pirates and outlaws. But belligerency was not enough: Davis must have recognition—the right to purchase supplies, warships, shot, and shell—or perish.

To this policy of obtaining foreign recognition, therefore, President Davis now attached his government, all else becoming subservient to this idea. England and France, he concluded, would be favorable, especially since the United States had enacted the Morrill tariff, which imposed heavy taxes on imports. Davis was confident there was "a common interest between the agricultural South and the manufacturing centers abroad." He was, therefore, sure the Confederacy would get recognition.

Now, in arriving at this conclusion, President Davis had omitted an important factor and had made the same mistake he made when insisting on the sacredness of slavery and its extension into the territories. In the year of our Lord 1861, no civilized country could have justified itself in cooperating with the South to establish a government whose cornerstone, as Vice-President Stephens admitted, was to be slavery.⁴⁰ Had President Davis recognized this fact and provided for the gradual extinction of slavery, he might have had foreign aid. But such a course would have required the repudiation of the very foundation stone of his Government.

When it was explained to the miners of Wales and the operatives of Lancashire and Birmingham that the success of the Con-

⁴⁰ Vice-President Stephens's speech, *Rebellion Record I, Documents*, 45; *London Times*, April 2 and May 6, 1861.

federacy meant slavery and that they would be thrown into competition with slave labor, it was all up with Davis's foreign policy and Gladstone's scheme to recognize the Davis Government. Furthermore, when President Davis adopted this foreign policy, he abandoned the plan of creating a gold reserve and operating on a specie basis. This no doubt he might have done as his wisest counsellors urged him to do. In 1861, there was much cotton in the South which could have been purchased from the planters with Confederate bonds. This cotton was equivalent to gold, and when shipped abroad before the blockade became effective, might have enabled the Confederacy to win.⁴¹

This foreign policy of President Davis proved a mistake and a continuing mistake—he never abandoned the idea of foreign recognition. And yet, with the lights before him, the scheme was not an impractical one. England was hostile to the United States and was therefore friendly to her enemy, the South, and the interests of England coincided with southern interests.⁴² The South had the cotton; England had the spindles.

Moreover, the royalty and nobility of England and her leading men, except a few philanthropists and scholars—Darwin, Mill, Cobden, and John Bright—were urging a recognition of the Confederacy. France, too, under Louis Napoleon, was unfriendly to the United States and anxious to join with England to coerce America. The French Emperor, it will be recalled, had a grand idea of a French empire to be established in Mexico, with Dom Pedro as emperor—a policy opposed by the United States. On the whole, therefore, it must be said that though President Davis was mistaken in his foreign policy, there were many reasons to justify his course.

Now, if President Davis was in error in these matters, what must be said of his firing on Sumter? Was this likewise a mistake? Suppose Sumter had not been fired on, what would have resulted? The United States vessels, the *Harriet Lane*, the *Pawnee*, and the rest, would have crossed the bar at Charleston on that murky April morning, and having supplied Anderson with provisions, would have sailed back to New York. Nothing more. How could leaving Anderson at Sumter have injured the Davis Government? What difference did it make, except for pride's sake, which govern-

⁴¹ Craven, 175; Schwab, 26.

⁴² *Blackwood's*, September 1, 1862.

ment occupied Sumter, three and a half miles from Charleston?

Already now the Confederate Government had been operating for more than two months, entirely unmolested, and was fast growing into a nation. It was then President Davis fired on the flag and stirred up a hornet's nest. But for this act, the Confederacy might have gone on unhindered till it became a nation and no shot fired. Suppose, on the other hand, President Lincoln, without an insult to the flag, had undertaken, in cold blood, to coerce the South and force her back into the Union, would the North have sustained him? Did not the firing on the flag at Sumter stir the American blood and save the Nation?

Perhaps Artemus Ward understood the situation after the shot at the flag better than any one of the day. "J. Davis," he says, "ther is your grate mistake. Many of us was your sincere friends and thought certain parties amung us was fussin' about and med-dlin' with your consarns intirly too much. But, J. Davis, the minit you fire a gun at the piece of drygoods called the Star-Spangled Banner, the North gits up and rises en massy in defense of that Banner."

But "J. Davis" had South Carolina on his hands. Had he refused to run Anderson from Sumter, might not South Carolina have undertaken the job alone—seceding from the Confederacy if necessary? Moreover, from President Davis's point of view, the first shot at Sumter brought into the Confederacy the four great states, Virginia, North Carolina, Arkansas, and Tennessee. But for the sprinkling of blood in their faces, these Union-loving commonwealths might have remained loyal to the Old Flag forever.

CHAPTER XVI

GOD DEFEND THE RIGHT

When President Davis assumed the reins of government, he left his family at Brierfield, but at once made preparation for them to join him. In a letter to his wife, he referred to his weary heart and to the thorns and troubles innumerable, despite smiles, plaudits, and flowers.¹ In a few days Mrs. Davis, in company with the President's brother, ran down to New Orleans on business. It grieved her to leave the well-selected library in the lone Mississippi woods and she hoped to make provision for her precious books, but failed. On the boat, she and Joseph talked over family troubles and she frankly admitted she had not forgiven him.² Late in February Mrs. Davis and the children arrived at Montgomery.

By an act of Congress, it was soon provided that the legislative department should be removed to Richmond. This measure the President vetoed, no doubt considering Montgomery a better strategic point.³ The reason assigned for the veto was the failure to provide for the removal of the executive department along with the legislative.⁴ A bill for the removal of the entire Government to Richmond was then passed, and some time in May the President and his family took up their residence in that historic city, and occupied the splendid Brockenborough Mansion. The Davises found the surroundings of Richmond far different from those of Montgomery. In the far South, the intrepid Southrons had gone to war as a bridegroom to meet his bride; whereas, Virginia had been forced to fight by Lincoln's call for troops.⁵

In Montgomery, moreover, the social graces cut a smaller figure, and one's pedigree made less difference. In Richmond, it must be

¹ *Memoir*, II, 33.

² *Davis vs. Bowmar*.

³ The President often vetoed bills. Richardson, I, 158-162.

⁴ Knight, 101.

⁵ In November Davis was elected permanent President and Stephens Vice-President.

conceded, ancestry was of much importance, and one's manners must conform to severer standards. In the refined and exclusive atmosphere of the new Capital, Mrs. Davis was not a success. A western woman of undoubted intellect, she was neither coy nor winsome, nor could she adapt herself to a society adorned by the traditions of the Byrds, the Spotswoods, the Custises, the Carters, and the Lees. She found Richmond quite unlike frontier life, "more exclusive, more English, and Virginia people more offish to strangers."⁶ Yet those Virginia women, with soft hands and softer voices might be found in the hospitals among wounded and dying, while Mrs. Davis remained away "because her husband feared her presence would impose a restraint."⁷

Soon refined women were recording in their diaries that Mrs. Davis was not a Southerner. A bookish woman, she was also "coarse and brutal, she had a colored seamstress, she did her own work," and was "mulattoish."⁸ Her sisters and associates were described as women "who wore red frocks and flats on their heads."⁹ Moreover, she indulged in luxuries beyond the occasion, affecting a coach and pair. Indeed she seemed quite undisturbed at the havoc of war, while Mrs. Lee, all in black, and other consecrated women, were on their knees interceding for their country, or at home knitting socks for the boys in the trenches.

An incident in St. James Church, of which President Davis had become a communicant, failed to enhance Mrs. Davis's popularity. One morning while guns were roaring on the Chickahominy, Mrs. Davis's sisters came in church handsomely dressed and with no show of sorrow. Reaching the President's pew, what did they see but a plain-looking old lady quietly seated therein. An usher was called and the intruder removed. The intruder was Mrs. Robert E. Lee. As the gentle lady retired, hisses were heard.¹⁰

It must be said, however, that the brave cheerful outlook of Mrs. Davis was a tower of strength to her neurasthenic husband; more and more he leaned on her and accorded her every honor. Once a General passed through Mrs. Davis's drawing-room without mak-

⁶ *Memoir*, II, 202.

⁷ *Ibid.*, 204.

⁸ Bradford, 178; Pollard, *Lost Cause*, 185.

⁹ Chesnut, 79.

¹⁰ Bradford, 176; this incident also related to author by Captain and Reverend W. W. Page of Lee's Body Guard.

ing proper acknowledgment of her presence. Her husband was indignant, refusing to accept excuses or apologies.¹¹

But President Davis had little time for social or domestic matters. Since the first gun at Sumter, the war drum had aroused the martial spirit, and the new President was busy day and night carrying out the provisions of Congress. He directed every department of government, purchased or constructed gunboats, erected powder mills, ammunition factories, and provided war supplies. His task was much more difficult than Lincoln's.

Behind Lincoln was an organized government; behind Davis an unorganized experiment. The commercial and manufacturing North was supplied with shoe and clothing factories, flour, salt, meat, and ammunition works; it had a navy and the nucleus of an army. The South had none of these things. Again the population of the North far exceeded that of the South, there being 31,443,321 Northerners and only 9,103,343 Southerners, slaves included. The man power of the North was therefore three or four times that of the South. Furthermore, the North had a currency, a monetary system and a line of credit, though inadequate, in London and Paris. The agricultural South had little credit and no currency. All told, financially and commercially, the strength of the North must have been ten times the strength of the South.¹²

In other respects, however, the South had the advantage. After Lincoln's call, the South was a unit; there was no division. Adventurous southern boys, trained to outdoor life, tiptop horsemen, accustomed to firearms, were not only eager to fight but well trained to do so. The South, moreover, was on the defensive—home and fireside were at stake. Again, southern officers out-ranked those of the North. Joseph E. Johnston and Robert E. Lee, old West Pointers, were the outstanding military figures of the army, as Lincoln concluded. He directed General Scott to tender each of them the command of the Union forces. Reluctantly they declined and shared the fate of their states. In the southern army, there were also Albert Sidney Johnston, P. G. T. Beauregard, Braxton Bragg, Stonewall Jackson, and J. E. B. Stuart, well-trained and efficient officers. The North was not so well provided. General Scott was old and unfitted to lead, and Halleck, a superficial adviser.

¹¹ Chesnut, 318.

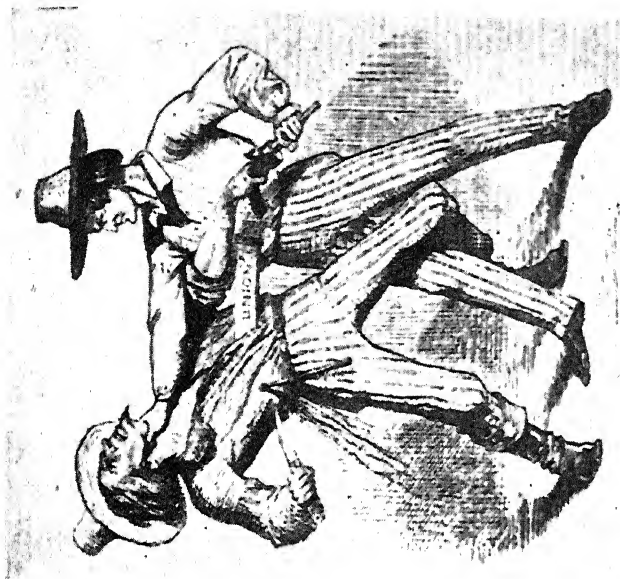
¹² Hosmer, 6.



THE GREEDY BOY

Victoria: "You greedy young Yankee! You won't leave a crumb for little Frederick Albert."
Louis Philippe: "Soyez tranquille ma chère, you are vary fond of Indian bombons, and I loaf vary mosh ze tabac d'Algiers myself. We shall mosh better both be quiet."

—From a cartoon in *Yankee Doodle*, New York, 1846-47.



THE AMERICAN TWINS, NORTH AND SOUTH

—From a cartoon in *Punch*, Sept. 27, 1856.

U. S. Grant, the hardest hitter on either side, was then unknown, as were his able lieutenants in days to come—George H. Thomas, W. T. Sherman, and Phil Sheridan. While Lincoln was groping around for a competent officer, Davis had leaders ready to hand. In addition to these advantages, the attitude of both England and France, as we have seen, was favorable to the Confederacy. On the whole, however, it must be said the odds against the South were overwhelming.

Such being the obstacles surrounding President Davis, what should have been his policy? This question is now easy to answer, but in 1861, it was difficult indeed. As events unfolded themselves, it became plain that the President's waiting policy was a mistake—he should have forced the fighting. He should have ceased to quibble over constitutional questions and at once seized the reins of government and become a dictator.¹³

He could have sequestered the cotton crop, converted it into gold, constructed railroads over which to move the armies along interior lines, purchased and constructed battleships, and kept open the southern ports. And above all, he might have fed and clothed the army.¹⁴ Without foreign intervention or a collapse of northern morale, the chances of the Davis Government were negligible. If, however, a stunning blow had been given the northern army and Washington captured, what might have happened? Surely nothing worse for the Confederacy than the resulting disaster from delay.

And of President Davis's foreign policy, this must be said: it lacked punch. The proud, imperious President would not bend the knee to England or France. At first he was unwilling to offer the slightest inducements.¹⁵ He would not agree to form a commercial alliance with England whereby southern cotton for a term of years might be exported in exchange for English imports free of duty. Nor would he deal with France on the basis of guaranteeing Mexico to Napoleon Third. As ever, pride and self-confidence deterred the man who was a fighter, but never a compromiser or a diplomat.

In the Senate he had contended that cotton was king; as Presi-

¹³ Schwab, 209.

¹⁴ Maurice, 32; Oberholtzer, 64. Davis claimed in his *Rise and Fall* he could not have done these things.

¹⁵ Tate, 93.

dent he still maintained cotton was king. In vain Toombs, his ablest financial adviser, Rhett, chairman of the Foreign Relations Committee, and Yancey, foreign representative, urged the President to strike some bargain with England and France and win the war—win it at any cost. Heedless of this advice, President Davis followed the dilatory, waiting policy of Mallory, Memminger, and J. M. Mason, Ambassador to England. Mason assured Davis that English mills had little cotton and would be starved out by February 1, 1862.¹⁶

Now if southern morale at the beginning of the war was better than northern, the northern plan of campaign far surpassed the southern. The South had no unified purpose; whereas, Lincoln and his advisers soon grasped the war situation and mapped out a comprehensive scheme of operations. Lincoln's plan was three-fold: it comprehended an eastern front, a western front, and vast naval activities.

On the eastern front, an army was to cross the Potomac, drive Beauregard and Joseph E. Johnston from Virginia, and capture Richmond. In the west, another army was to march south through the friendly regions of Missouri, Kentucky, and Tennessee, break the Confederate line, stretching from Bowling Green to Corinth, open the Mississippi River, and cut the Confederacy in twain. Simultaneously with the eastern and western advances, the Union fleet was to move. The navy was expected to close southern ports from Cape Charles to the Gulf, patrol the rivers, and cooperate with the attacking armies.¹⁷

Before these major movements took place, however, each side began operations to capture the Border States. Maryland, a Union state, was held in line by the high hand of Lincoln and of Governor Hicks. Lincoln smashed to pieces the Maryland Secession Convention, proclaimed martial law, imprisoned one congressman, all the secession delegates, legislators, and editors, and closed the courts to them, refusing them the ancient Writ of Habeas Corpus. At heart Kentucky and Missouri were likewise Union states, though it required fierce fighting by Blair, Lyon, and other Unionists to hold them in line. At all hazards, President Lincoln was deter-

¹⁶ Maurice, 10; Schwab, 69.

¹⁷ "Because Federal gunboats pierced the southern rivers, the South was overcome," said Mark Twain, himself a Confederate soldier.

mined to save the Border States, winning them back one by one. "Lincoln would like to have God Almighty on his side," said a disgusted abolitionist, "but he must have Kentucky." Virginia and Tennessee were split on the issue of union and disunion, the exclusively white sections going with the North.

In the minor engagements of 1861, the Federals were generally successful. Robert E. Lee, incomparably the best southern military man, failed in West Virginia and was transferred to South Carolina. These small Union victories encouraged the North and as the summer of 1861 approached, Congress and the politicians demanded a fight.¹⁸ They insisted that Lincoln should order General McDowell to drive the Confederates under Beauregard from Manassas. "On to Richmond!" became the battle cry. Military operations in the east, it must be said, were always handicapped by interference of civilians. Reluctantly McDowell yielded and agreed to take the offensive. But General Joseph E. Johnston must be held in the Valley by General Patterson.

The result was the battle of Bull Run, the first great engagement of the war.¹⁹ On the morning of July 21, 1861, President Davis hastened from Richmond to join Beauregard and lead the army. But before he reached the battlefield, he was met by hundreds of straggling soldiers, declaring all was lost. Continuing his journey, the President soon ascertained that the indiscriminate, mob-like fight had resulted in a Confederate victory.

Thirty-odd thousand northern troops had engaged a somewhat smaller number of southern; to and fro victory had wavered. At first, McDowell swept all before him, but presently encountered a brigade, standing on a plateau at the Henry House. This brigade was commanded by Thomas J. Jackson. Steady Jackson stood, perhaps the greatest lieutenant since Ney executed the orders of Napoleon. Victory halted. "See," cried Major Bee to his wavering troops. "See, there stands Jackson like a stone wall!"

But even then victory might have gone to McDowell, as the furious combatants seized each other by the throat, had not twenty-five hundred fresh troops from the Valley arrived. "Johnston has come!" the terrified and untrained Union boys whispered and fled. The day was lost; the rout of McDowell was complete.

¹⁸ *Harper's*, June 8, 1861.

¹⁹ Eckenrode, 149.

Three thousand Union troops dead or wounded on the field, two thousand Confederates—and the harvest of death just beginning.

After nightfall, President Davis, proud and self-contained, conferred with his victorious Generals. He suggested pursuit and the capture of Washington. Beauregard and Johnston explained that the men were without food or equipment, and that there were no adequate means of transportation. Moreover, they were exhausted, and a fresh Union army near by. President Davis acquiesced and pressed the point no further.²⁰

News of the Union rout created consternation in Washington, but its secondary effect was beneficial: it awoke the North from overconfidence. McDowell was removed and was succeeded by McClellan. So well had McClellan conducted himself in the West Virginia campaign, he was hailed as a young Napoleon. The work of drilling and organizing the Union troops now went steadily forward, and General McClellan, an excellent drillmaster, was soon at the head of a fighting force which he might have successfully hurled at the thin Confederate line on the Bull Run battlefield. This line was guarded by only about forty thousand men and was poorly protected. Fierce, huge-looking cannon, but quite innocent as they were made of wood and known as "Quaker guns," constituted the main artillery. Hundreds of southern boys had left the army and gone home, concluding the war was over! ²¹

Everywhere the old idea that one Southerner could whip half a dozen Yankees was heard; Yankees were good traders but poor fighters. Thirteen thousand Confederates had just whipped thirty-four thousand Unionists, it was said.²² During the Bull Run fight, this illustrative incident had occurred. A lank southern boy, whose chief sport at home had been hunting turkeys, was creeping along on tiptoes when he heard his file companion's heavy feet cracking twigs and branches. "Sh'," the turkey hunter whispered, "step light or we won't get a shot!" ²³

Thus disastrously to the North ended the first great offensive against Richmond. Unfortunately for the South, it suspended further military operations for months. But the two other Federal

²⁰ Johnston, J. E., 64; Davis, J., I, 360; Roman, I, 208.

²¹ *Ibid.*, 60.

²² *Memoir*, II, 101.

²³ B. P. Thorpe, a North Carolina soldier, gave the author this incident.



LINCOLN ON THE BAYONETS

Old Abe: "Oh, it's all well enough to say that I must support the dignity of my high office by force—but it's darned uncomfortable sitting, I can tell yer."

—From a cartoon in *Leslie's*, March 2, 1861.

offensives, the one by water and the other in the West, were more successful. In a comparatively short time, Fort Hatteras, Roanoke Island, the city of Newberne, and Fort Macon, in North Carolina, were taken. Hilton Head and Port Royal fell: New Orleans was captured.²⁴ These naval victories were not important in themselves, but were ominous of disaster to the South. They signified that the blockade would be made good and the South would be strangled to death. Furthermore, thousands of bales of cotton had been captured by the Federals or set fire to and destroyed by the Confederates on the approach of the Union gunboats.²⁵

As President Davis realized the perils to his Government from the sea, he increased his efforts to keep open the southern ports. In 1862, Confederate officials ingeniously overhauled the *Merrimac* and covered her with sheet iron. Nearly submerged, she now became a fighting machine hitherto unknown to naval warfare.

At Hampton Roads, the *Merrimac* sank the United States warship *Cumberland*, disabled the *Congress*, and did other damage. At length the destructive battle ship was checked in her course and put out of commission. In a fierce engagement with the *Monitor*, a ram designed by Erickson, the *Merrimac* met her match and the waters of Virginia were again opened to northern gunboats.

Early in the struggle, President Davis dispatched Captain James D. Bulloch as special agent to England to negotiate for the purchase and construction of ships. In a short time, the Captain had got possession of the *Oreto*, afterwards christened the *Florida*, and had arranged with the Lairds of Liverpool for the *Alabama*.

Admiral Semmes, the greatest Confederate sea-fighter, was transferred from the *Sumter*, a small cruiser, to the *Alabama*, and did vast destruction to northern shipping. After many a gallant encounter, the *Alabama* was finally sunk near Cherbourg by the *Kearsage*.²⁶ Three other war vessels were fitted out abroad. These were the *Georgia*, commanded by Captain Maury; the *Tallahassee*, commanded by Captain Woods; and the *Chicamauga*, by Captain Wilkinson. The *Stonewall* was fitted out in France, with the approval of Napoleon III, but so late in the war the boat scarcely got into

²⁴ Apr. 28, 1862.

²⁵ Fully a million bales of cotton were burned by the Confederates during the war. Rhodes, V, 382.

²⁶ January 11, 1864. Gordon, 176.

the fight. The *Petrel*, the *Savannah*, and other privateers did efficient blockade work.

On the whole, it must be said of the Confederate navy that it gave a good account of itself. The name of Admiral Semmes will live in the history of naval warfare. This plucky little navy captured two hundred and sixty American merchant ships, valued at twenty million dollars.²⁷

The third Federal movement, the western one, was the most successful of the three. The Confederate Government had undertaken to create a strong defensive line from Bowling Green, Kentucky, to Corinth, Mississippi. This line, it was expected, would protect Tennessee from Federal attack. General Albert Sidney Johnston was assigned to this command. General Beauregard, having been detached from the East, had reluctantly gone to the western front. He was ordered to cooperate with Johnston.

A part of the defensive line were two strategic forts, Henry and Donelson. With skill and audacity, in February, 1862, these positions were captured by Halleck and Grant, and thereby the Confederate defenses were cut in twain. Unfortunately, Grant's old habits of drink were now upon him and Halleck complained to Lincoln. Halleck charged that Grant was not only drinking but was neglecting his duties, and was often out of place. He therefore recommended his removal, though the fall of Donelson had almost crushed Confederate hopes, and Grant's terms to General Buckner at Donelson—"Unconditional Surrender"—had cheered the nation and given Grant the popular title of "Unconditional Surrender Grant."

As I have just said, Beauregard was now on the western front, his removal thither illustrating his popularity. Roger A. Prior and other Congressmen had urged President Davis to assign Beauregard to the West. They maintained that the General, a student of Napoleon's campaigns, realized the necessity of swift action. It was well known that shortly after the battle of Bull Run, Beauregard had suggested a forward northern movement, and so confident was he that he urged this plan at a council of war at Fairfax Courthouse, which President Davis attended.²⁸

²⁷ Scharf, 815.

²⁸ Johnston, Beauregard, and Smith wrote an account of this in 1862, but President Davis does not mention this paper in his *Rise and Fall*. Roman, 142. A critic has declared that the ex-President tells everything except what one would like to know. Davis, J., I, 448; Smith, G. W., 33.

"This is our golden opportunity," Beauregard had said. "No time should be lost; we should fall upon the North before she can organize her resources." Beauregard's plans were not favored by the President, who no doubt expected foreign recognition. He was certainly looking for an uprising in the North. From Senator Bright, of Indiana, and other Copperheads, he had been receiving letters which recognized the Confederacy and bade it "God-speed."²⁹

In lieu of Beauregard's larger plans, President Davis suggested minor movements—one on the lower Potomac, as a diversion! The overruling of Beauregard had irritated and discouraged him and he proceeded to attack General Northrop and the commissary department. He charged that Northrop was weak and incompetent and hence the troops were without food or arms. Northrop's quarrel was taken up by Secretary Benjamin, and Davis sustained his pet officials. Louisiana, the home of Beauregard, backed its favorite general. Because of this controversy, Davis and Beauregard parted company,³⁰ and the President was no doubt well pleased that the General went West.

Resuming the story of the western front, it must be said that the fame which Grant had garnered from the capture of Donelson was dimmed by a surprise movement against him by A. S. Johnston. On April 6, Grant, with an army of forty-three thousand men, was idling around Savannah, six miles from his post of duty at Pittsburg Landing. Grant's associates, Pope and Buell, were some distance away.

Johnston, with an army of forty thousand, determined to attack Grant before relief could come up. Previously he had offered to turn over the command of his troops to Beauregard, but Beauregard declined, and was unfavorable to Johnston's plans. Johnston, smarting under the loss of Henry and Donelson, said he was going to attack Grant's army if it was a million strong.³¹ The result was the great battle of Shiloh, almost lost by the North before Grant came on the scene. At the moment of a Confederate victory, Albert Sidney Johnston, the idol of the South, fell. Wounded in

²⁹ Bright was expelled from the Senate because of this letter. Winston, 216.

³⁰ Roman, 127, 153.

³¹ W. P. Johnston, a son of the General, thinks his father's army during this campaign was crippled by the Unionists of Tennessee and Kentucky.

the leg, he fought on, bleeding to death while his own surgeon attended wounded Federals.

During the night, Buell, with twenty thousand fresh troops, arrived, and the Confederates were driven from the field. In the fight, W. T. Sherman bore the brunt and carried off the honors.³² The losses in the West and the failure to capture Grant's army at Shiloh, rankled in President Davis's breast and he removed Beauregard and placed his favorite, the unfortunate Braxton Bragg, in command, perhaps the most disliked of Confederate commanders. This error was productive of direful results, as we shall see.³³

On June 6, Union gunboats captured Memphis; the Mississippi River, except at Vicksburg, was now lost to the South. But Vicksburg stood as a mountain in the path of the North, and while Halleck loitered, failed to press his opportunity, and held back Grant, Confederate fortifications around Vicksburg were completed.

These Federal successes in the West somewhat counterbalanced the Union defeats of Bull Run in July, 1861, and Ball's Bluff in October. The Ball Bluff defeat, just above Washington, it may be said, had thoroughly discouraged the Lincoln Government. The eyes of the North were always upon the eastern front, however, rather than the western. Indeed the part played in the western campaigns has been underestimated. In the West and at sea, the Confederacy received its mortal blow.

Six months had now gone by since the Bull Run attack and no forward movement in the East had begun. The Lincoln Government had been pouring out millions to equip McClellan's army. More than a hundred thousand well drilled soldiers were at McClellan's command, and yet no tangible results. "On to Richmond!" was again the cry. And in this cry Lincoln joined—a mistake as after events demonstrated.³⁴

Had the North been content to play a waiting game around Washington, the South might have been overcome with less bloodshed. Each month, southern ports were being closed and southern rivers occupied. The blockade was becoming effective and the South beginning to feel the clutch of war. A food riot broke out in

³² Formby, 133.

³³ Beauregard was then transferred to Charleston.

³⁴ Formby, 3.

Richmond. Homespun was the cloth from which fashionable dresses were made; children wore shoes with wooden soles and uppers of squirrel skins. Coffee, tea, soap, salt, candles, matches, starch, glue, and other household necessities almost disappeared. The Confederate dollar was growing less valuable.

Yet in his message the indomitable Davis sounded a note of triumph. He called attention to the victories of the South, the growth of the Confederacy and its well directed finances. An optimistic note, surely, as at that moment gold was selling at one hundred and twenty, war expenditures had mounted to twenty millions a month, and less than one per cent of the expenses of government were met by taxation—a fiscal policy leading to ruin.³⁵ Loans and treasury notes were the main sources of revenue, and the Confederacy was slowly perishing. Had McClellan been allowed to entrench himself, throwing up breastworks from the Potomac to the Virginia mountains, and to remain on the defensive till Grant captured Vicksburg and Farragut made the blockade complete, many a life might have been saved.

But the North was growing impatient; it longed to capture Richmond and put an end to the war. Moreover, the morale of the North was beginning to weaken. Lincoln therefore determined on a forward movement to begin February 22, 1862. In deference to McClellan's wishes, Lincoln abandoned his plan of attack from Manassas and agreed to transport troops from Fortress Monroe and to march on Richmond from the Peninsula. At Richmond, McDowell coming down from Manassas, was to join forces with McClellan.

Late in May all was ready and with a hundred and twenty thousand men, McClellan moved north from Fortress Monroe. "On to Richmond," was the cry. But in McClellan's way stood Yorktown, and here he halted and lost valuable time besieging the place. Moreover, Jackson in the Valley had overcome the divided forces of Shields, Banks, Frémont, Schenck, and Milroy, and by a series of brilliant movements, had run them out. By a forced march he was threatening Washington. McDowell was therefore hastily called to defend the Capital and prevented from joining McClellan.

In the first engagement, Seven Pines or Fair Oaks, General John-

³⁵ For an account of the financial collapse, consult Stephenson, *Day of Confederacy*, 157; Scharf, 76.

ston was wounded and was succeeded by Colonel R. E. Lee. Lee was Davis's only choice, and had he done no other act than appoint this great soldier to command the Army of Northern Virginia, he would be entitled to high praise. Well-poised, of commanding presence, and truly magnanimous, Lee was the best product of the South, and it soon became a by-word that "the Rebellion's lease of life was borne on the saddle bow of Lee's charger."³⁶

After Seven Pines, June 1, 1862, McClellan remained inactive for many days, always contemplating "a change of base." It was during this time the Confederate cavalry leader, J. E. B. Stuart, feather in cap and at the head of his picked men, galloped around the entire Union army. But more important than this episode were the new tactics of Lee. Lee now began his well matured plan of intrenchment or digging in. "Shovel and spade warfare," it was derisively called by the impetuous Confederates—"Niggers' work!" But it soon justified itself.

On June 26, Lee attacked the hesitating Union General. Six days of incessant fighting followed, deadly and destructive, and on July 1, the mighty Union hosts, under cover of their gunboats, retreated and made their escape. In seven days Lee had wrought a miracle and saved Richmond. The North was astounded—the South elated. McClellan's Peninsula Campaign had cost the lives of twenty-three thousand northern boys and of twenty-seven thousand southern. And nothing permanent had been accomplished—not an inch of territory taken—not a fort captured. Lincoln was dismayed; Congress enraged and impatient. Yet General McClellan had undoubtedly played a man's part. He had gone up against great odds. He was in hostile territory, he was the invader, and the impetuous southern youth, with back to the wall, was fighting for home and fireside. McClellan's retreat from his dangerous position is worthy of all praise. Yet he was soon removed to give place to the bombastic Pope.

Pope, the hero of Island No. 10 in the Mississippi, began his campaign by sneering at McClellan and his defensive warfare. Pope's "headquarters were to be in the saddle"; in the open, Pope would meet the enemy! Very soon, at second Manassas, Stonewall Jackson, under Lee's directions, rode all around the inflated

³⁶ Roper, II, 498.

man and beat him to his knees. In sixty days, General Pope was retired, never to be heard of again.

During the battles around Richmond, Davis and Lee were in frequent conference and while the President did not interfere with the General's plans in Virginia, he directed all outside movements. Lee's position, indeed, in the great scheme of operations, was subordinate. Colonel Marshall, of Lee's staff, concludes that General Lee was no more than an assistant secretary of war.³⁷ On March 2, 1862, and because of the fall of Henry and Donelson and of other disasters in the West, the Confederate Congress had passed a resolution of the first moment: Congress removed Davis and made Lee Commander-in-Chief of the armies.

This resolution grew out of the conviction of the people that their President was not competent to conduct the operations of the armies and that a unified head was needed. The resolution was vetoed by President Davis. But soon thereafter he assigned Lee to the command of the armies, "subject to the direction of the President." Davis objected to the measure because, under the Constitution, he was Commander-in-Chief and Lee could not supplant him.³⁸ Thereafter, General Lee would sometimes sit for hours with the President and on reaching his tent would quietly allude to the "wasting of much precious time."

The differences between Davis and Lee were fundamental, though they, however, remained friends to the end. Lee was too broadminded to quarrel or to justify himself. General Lee was content to do his duty and "leave the consequences to God." Among other changes, Lee suggested to the President that the plan of volunteering be abolished and conscription take its place; that troops be detached from remote localities and the Confederate army concentrated. Lee did not hesitate to adopt a policy which reversed the course previously pursued by the Confederate Government. Lee had a more comprehensive view of the whole problem than Davis and his other advisers. "He did not permit himself to be diverted from his purpose by considerations which exerted influence upon those who perceived less clearly the lamentable consequences of defeat." Separate and distinct events, which appeared

³⁷ Maurice, 3; *Journal of the Congress of the Confederate States*, II, 34.

³⁸ In his *Rise and Fall*, Davis does not refer to his veto.

to others as independent, Lee well understood were parts of one plan of warfare.³⁹

Lee strongly urged that all officers be appointed and not elected.⁴⁰ He did not disregard the possible aid from dissensions at the North or from European intervention, but he maintained that an energetic policy would increase the probability of assistance from those sources. Lee concluded that every other consideration should be regarded as subordinate to the great end of the public safety and that since the whole duty of the nation would be war until independence should be secured, the whole nation should be converted into an army, the producers to feed and the soldiers to fight.⁴¹

Lee advocated severe punishment for desertion, while Davis pardoned with liberality. Once Davis wrote on Lee's complaint "that when sentences were reduced and remitted that is not a proper subject for the criticism of a military commander."⁴² These ideas Lee merely suggested; he was too obedient to intrude them upon his superior. Content to do his duty, and that duty to drive "these people" out of Virginia, he went no further.

As the fall of 1862 approached, the hopes of the Confederacy were high. On the eastern front, Union armies were on the retreat, and in the West at a standstill—a situation which President Davis proposed to utilize. In the West, the Union army was to be driven from Mississippi and Tennessee, and Kentucky was to be taken over. To this great task, President Davis had assigned General Braxton Bragg. Meantime, Halleck had been called to Washington to advise Lincoln, and the Union armies in the West were divided into two sections, one under Grant and the other under Buell—a change that foreboded no good to the Confederates.

Bragg's objective was Louisville. From Chattanooga, therefore, he marched north into Kentucky, expecting an uprising of the Confederates of that state. He was mistaken; Kentucky, a Union state, gave Bragg no assistance. By rapid marches, Buell intercepted Bragg and, on October 8, an indecisive battle was fought at Perryville. Utterly disheartened, Bragg and General Kirby-Smith returned to Tennessee.

Misfortune had likewise overtaken General Van Dorn. Van Dorn had attacked Corinth and been repulsed by Rosecrans. Rose-

³⁹ Maurice, 66.

⁴⁰ Pollard, *Davis*, 107.

⁴¹ *Ibid.*, 32.

⁴² Jones, J. B., II, 343.

crans's victory made him the hero of the hour, and he displaced Buell, who was under fire for delays around Nashville and for failing to destroy Bragg in Kentucky. Indeed, the only bright spots in the western movements of the Confederates were the raids of Nathan Bedford Forrest and John H. Morgan. These daring raiders had terrified the Unionists throughout Kentucky and Tennessee.

While Bragg and Buell were chasing each other through Kentucky, Grant had received permission from Halleck to capture Vicksburg. But a Confederate army in the vicinity was a menace to Grant's movements and must first be destroyed. This, however, could not be done until Bragg's army in Tennessee was likewise cut to pieces. It was Rosecrans's business, therefore, to destroy Bragg; it was equally Bragg's business to destroy Rosecrans. Mighty results awaited this battle. If Rosecrans should defeat Bragg's army, Vicksburg would fall. If, on the other hand, Bragg routed Rosecrans, Grant, unsupported, must move his army away.

Out of this situation occurred the tremendous conflicts of December 31, 1862, and January 1 and 2, 1863—the battle of Murfreesboro or Stone River, one of the stubbornest fights of the entire war. Murfreesboro, indeed, is considered by some military experts as the turning point, the crucial battle of the war—even more so than Gettysburg. Though the battle was drawn, General Bragg quit the field, his army was demoralized, he himself discredited, and the way was open for the indomitable Grant to capture Vicksburg—Davis's old home, and the Gibraltar of the West.⁴³

⁴³ The November elections went against the Union—a worse blow than Bull Run or Stonewall's Valley campaigns, or Ball's Bluff.

CHAPTER XVII

ANTIETAM

If consistency be a jewel, then was President Davis rich and President Lincoln poor indeed; but if, on the contrary, consistency is the hobgoblin of small minds, the reverse must be said. Since Davis had become President, he continued to follow his old methods of thought: once a conclusion was reached it was final. In the Senate, in January, 1860, he retorted that the Republican platform did not interest him, he had not read it, nor did he concern himself with the disreputable matter. The Scott case had outlawed the Republican party, its platform was illegal, its members law breakers, and discussion was therefore foreclosed.

So as President, Davis was deaf to passing events, unless favorable. Though Great Britain had liberated her slaves and her courts declared the air of England too free for a slave to breathe, he saw no inconsistency in asking that country to cooperate in making a slave confederacy. In October, 1861, he appointed J. M. Mason ambassador to England and John Slidell to France.¹ Escaping from Florida on a blockade runner, these officials landed at Havana, where they embarked on an English ship, the *Trent*, bound for Southampton.

Soon the *Trent* was overhauled by Captain Wilkes, of the United States navy, who fired two shots across her bow. Wilkes then permitted the *Trent* to go on her way, but took off Mason and Slidell as prisoners. News of the affair was sped to London, where the excited populace resented the insult to the Union Jack. On November 27, Lord Russell directed the Earl of Lyons, ambassador at Washington, to demand his passports unless Mason and Slidell were released in seven days. At the same time, English war vessels conveyed troops to Canada and war was imminent. Lincoln wisely consented to surrender the Confederate ambassadors and the United States escaped trouble by a narrow margin. Lincoln's

¹ Mason succeeded Yancey, who had quit in a huff.

legal advisers concluded that Wilkes had violated the law, that after capturing the *Trent*, he should have brought her into port and detained her; when he released the ship, he likewise released her cargo, Mason and Slidell included.

In England Mason met a varied reception. The upper classes, not omitting the politicians and the Prime Minister, were hostile; but thoughtful Englishmen, Mill, Cobden, and Bright, were cordial. No sooner had Mason taken up his abode at St. James, than he was confronted with this editorial in the *Times*: "Mason and Slidell are about the most worthless booty it would be possible to extract from the jaws of the American lion.—Champion filibusters, advocates of slavery, British haters! England has rescued them, not on their account at all, but as she would two negroes, 'Pompey and Cæsar.' . . . So, British Public, please let's have no public reception for Mason and Slidell!"²

The task of the Confederate ambassadors to gain foreign recognition or to float bonds was made more difficult by the interference of Davis's one-time Mississippi friend, Robert J. Walker. In the late winter of 1862, Lincoln dispatched Walker abroad as a special agent. Since Walker left Kansas in 1858, he had not lived in the South. Early in 1861, he made a ringing Union speech in New York and now he was to present President Davis's former record to the people of Europe. Travelling through England and France in handsome equipages, with out-riders and other attendants, Walker went from city to city "getting even" with Jefferson Davis and with the Democratic party because of their repudiation of him in Kansas.

Walker soon negotiated the sale of two hundred and fifty million of the 5-20 U. S. bonds. He likewise kept the printing presses busy turning light on Jefferson Davis. He declared that Davis had been the arch repudiator of Mississippi, that in 1849 he had written a letter to the *Washington Union*, in which he repudiated the Union Bank bonds. This letter Walker printed and commented on.³ Walker likewise laid bare the desperate straits of the southern Confederacy. Its finances were bankrupt, its seacoast had been captured by the Federals, its rivers rendered worthless;

² *Blackwood's*, September, 1862.

³ Mississippi historians assert that in this matter of repudiation Walker was tarred with the same stick as Senator Davis.

it was cut in two in the West and hastening to its end. Pamphlet number one was followed by number two and number three, each new publication more acrimonious and more documented than the former.⁴

In 1862, the Davis Government, in its attempt at foreign recognition, reached high water mark. The French Emperor was urging England to cooperate and interfere in American affairs. At Manchester, Gladstone publicly declared "he had no faith in the perpetuation of free institutions at the point of the sword. . . . "Davis," he asserted, "has made an army, he is making a navy, and he has made what is more than either—he has made a nation."⁵ On October 12, Russell wrote his colleagues, inquiring if it was not the duty of Europe to interfere in America. The *Times*, the *Spectator*, and the *News* construed Gladstone's utterance as equivalent to recognition. Charles Francis Adams, the American ambassador, wrote in his *Diary* he would be out of London by Christmas at the farthest. At this time, and until October, 1863, England and France were selling arms and ammunition to the Confederacy, just as to the North.⁶

Encouraged by news from abroad, President Davis's state papers sounded a triumphant note. The Washington Government, he declared, "was trampling on the liberties of the people, it had suspended the writ of habeas corpus, unjustly imprisoned the citizens, and the Border States would soon join the Confederacy. . . . Ere long the National Government will sink under the burden of a debt to conquer us, which has assumed enormous proportions. We have no floating debt; one year of war has cost us only one hundred and seventy million; it has cost the North five hundred and twenty million . . . We are strong and growing stronger; we have seven and a half million miles of territory . . . To speak of subjugating such a people is to speak a language incomprehensible to us."⁷ Referring to the subject of conscription, which General Lee had urged, Davis approved and recommended it to Congress.

While the imperious southern President was thus running true to form, adhering to his domestic and foreign policy without

⁴ In the Library of Congress.

⁵ This speech was published and the plain Englishman protested against it.

⁶ *Diplomatic Correspondence*, Part I, 314; Rhodes, IV, 390.

⁷ Rowland, V, 201, 203, 321; Schwab, 55.

change, Lincoln and his cabinet were preparing to reverse themselves. Immediately after the battle of Bull Run, it will be remembered, the National Congress passed a resolution that the object of the war was the preservation of the Union and not interference with slavery. And this view Lincoln had often declared his own; upon it, indeed, the war had been waged for eighteen months and the Border States encouraged to take sides with the Union. But now the time had come, as Lincoln concluded, to make a change. He had begun to sense the world movement for freedom and was determined to identify the war with that movement. He would put it up to England and France if they could afford to fight for the preservation of slavery.

First, however, Lincoln determined to tackle the slavery problem at home. On March 6, 1862, he sent a special message to Congress, recommending that the United States agree to compensate any state which would gradually emancipate its slaves. In this message, he demonstrated that his plan would benefit not only the slave owners but the National Government. He valued a slave at four hundred dollars and he reached the conclusion that eighty-seven days' cost of war would pay for every slave in Delaware, Maryland, Kentucky, Missouri, and the District. Total number of slaves therein 432,622; this number multiplied by 400 would give 173,048,000 dollars. Eighty-seven days' cost of war would be 174,000,000 dollars, leaving \$951,200 to the good!⁸ Lincoln's suggestion was acted on by Congress and the measure was passed, but no state took advantage of the offer.⁹

Again, in April, 1862, Congress abolished slavery in the District and on June 19, passed the most remarkable act of its entire history: Congress overruled the Scott case and abolished slavery in the territories. Thus, by drastic and high-handed legislative enactment, was solved the problem which had brought on the war, and thus the legislative department overran the judicial.

While his Congress was occupied with this aspect of slavery, Lincoln was engrossed with the greater subject of general emancipation. As the Constitution protected slave property in the slave states, he could not confiscate such property. Under his war

⁸ *Globe*, 1102.

⁹ MacDonald, 449; 452.

powers, however, he proposed to free all slaves in the war zone.¹⁰ A slave throwing up breastworks or driving a Confederate ammunition wagon was as much an enemy, so Lincoln concluded, as a soldier with a gun. In the spicy language of the inimitable Ben Butler, a captured slave was "contraband of war."

Early in the year 1862, Lincoln determined on his course and at a cabinet meeting held some time later, laid his plans before his official advisers. Seward objected, insisting it would be looked upon as a cry of distress and would injure the North. "Wait till we have won a victory," Seward cautioned. Lincoln consented and put aside the Emancipation Proclamation for a suitable occasion. This occasion, he discovered, in the battle of Antietam or Sharpsburg.

After the battle of second Manassas, the demoralized Pope had telegraphed his fears to Washington: his army was melting away and Washington was likely to be captured. The terrified General was removed and McClellan again called to take command and save the country. Union troops with shouts of joy hailed the return of their old chieftain. Meanwhile, Lee was planning an invasion of Maryland; he was going to "give her people a chance to liberate themselves." Early in September, with sixty thousand veteran soldiers, Lee began his march. Stonewall Jackson and Longstreet were his lieutenants. In a few days, the city of Frederick was reached, but no uprising took place. Western Maryland was Union to the core. Harrisburg was Lee's objective and after its capture, probably Philadelphia and Washington.

On September 10, Lee was forced to divide his army. Harpers Ferry had not been evacuated by the enemy and was a menace; it must be taken. Jackson, with his corps, was therefore dispatched on this mission, and Lee temporarily lost his "right arm." In the meantime, McClellan had set out from Washington and on the thirteenth occupied Lee's old quarters at Frederick. There fortune favored him—a copy of an order of General Lee's entrusted to D. H. Hill, disclosing the plan of campaign, was brought in.¹¹ McClellan thus became aware that Jackson was at Harpers Ferry and Lee's army depleted. At that time, Lee was only a few miles away. The jubilant McClellan determined to strike Lee, but

¹⁰ Stephens, II, Appendix relating to the Hampton Roads Conference.

¹¹ *Official Record*, XIX, Pt. II, 603.

moved too cautiously and slowly. Before McClellan's full attack, the swift marching Jackson had swooped down on Harpers Ferry, captured the town, taken twelve thousand five hundred prisoners with much material of war, and was on his way to join his chief.

McClellan's advance had surprised the Confederate chieftain, who at once took a strong position behind the Antietam Creek. On September 16 and 17, 1862, the battle of the Antietam was fought—perhaps the bloodiest single day's fighting of the war. Fifty-five thousand Confederates stood up against eighty-seven thousand Federals. The Confederate loss was 11,172; the Federal, 12,410. Though this battle was not a Union victory, it checked Lee's invasion of Pennsylvania, and served Lincoln as the occasion for his Emancipation Proclamation. From a civil and diplomatic point of view, Antietam, therefore, must be classed among the most important battles of the four years' conflict.

Forthwith, Lincoln announced that he proposed to emancipate the slaves on January 1, 1863. In the meantime, he likewise notified each state that its slaves would be set free on that date, unless it resumed its allegiance to the National Government. "I claim not to have controlled events," said Lincoln, "but confess plainly events have controlled me." Hope of foreign intervention diminished, and thereafter the North inscribed on its banner the invincible phrase, "Union and Freedom." Soon the whole world was ringing with Lincoln's Emancipation Proclamation—some praising, others denouncing it. On the whole the war took on a new aspect. Lincoln himself was greatly encouraged. Hereafter, he was known as the Emancipator. A new song was put in the mouth of extremists—men and women shouting the battle cry of freedom—"Mine eyes have seen the glory of the coming of the Lord."

Slowly but surely was coming to pass William Lloyd Garrison's raw prophecy: YOUR COVENANT WITH DEATH SHALL BE ANNULLED AND YOUR AGREEMENT WITH HELL SHALL NOT STAND!

In the South, the Emancipation Proclamation was regarded as lawless and unconstitutional and as the culmination of the aggressions of the anti-slavery party for thirty years.¹² President Davis, however, looked deeper into the matter. He concluded that it "would calm the fears of all who evinced the apprehension that this war would end in a renewal of political relations with the United

¹² *Memoir*, I, 217.

States. . . . I have never shared those fears," he said, "and the Proclamation now affords the fullest guarantee of the impossibility of such result . . . Extermination of the slaves, exile of our white population or absolute and total separation from the United States must now follow." In a word, the Confederate President repeated his old doctrine that the South must dominate the Government or give up slavery.¹³

President Lincoln's troubles were not solely in the open field; there were secret enemies and those in the rear. In the North, a peace party had grown up more dangerous to the Union than Lee or Jackson. At the November, 1862, election, Lincoln was distressed to find his war policy in a measure repudiated. Illinois, his own state, had sent twice as many Democrats and Copperheads to Congress as Republicans. New York had gone Democratic. But for the Border States there would have been a Democratic majority or more than twenty in Congress. This majority was overcome by the Border States.¹⁴ Some master stroke must be made and at once or the war would be ended at the polls—Lee's army must be crushed.

"On to Richmond," was heard again. The slow-moving but dependable McClellan was removed, partly for political reasons, he being a Democrat. Ambrose B. Burnside, hero of Roanoke Island, was put in command. By November 1, Burnside reached the Rappahannock and would have crossed over and moved on Richmond, but the pontoons were late. Lee, fearing the enemy would be on him before he could concentrate, determined to fall back on the South Anna. Ascertaining the cause of Burnside's delay, however, Lee, with 78,000 men, fortified himself around Marye's Heights at Fredericksburg and awaited attack. Lee chose the Rappahannock rather than the South Anna because Davis directed him not to retire more than he could help, hoping for English intervention if he held his ground.¹⁵

December 13, 1862, the battle of Fredericksburg was fought—a destructive blow to the Union. After crossing the Rappahannock on pontoons and protected by a barrage, the Union troops rushed up the railroad cut and attacked Marye's Heights. They were

¹³ Brown, 83.

¹⁵ Formby, 163.

¹⁴ Shotwell, II, 144.

pitilessly cut to pieces, the Union loss being 12,633, the Confederate 5,377. At night, Burnside's army re-crossed the river and took position on Stafford's Heights, overlooking Fredericksburg. Next day, the impetuous Burnside would have renewed the attack, but was dissuaded. Burnside was removed and on January 25 "Fighting Joe" Hooker succeeded him.

Hooker organized a force of 124,000 men; the Army of Northern Virginia was about half this number. The two armies, now inactive, stood facing each other till the following April. Hooker then determined to give battle. His plan was to feint an attack down the Rappahannock while his main army would secretly march up the stream to Kelly's Ford. There the army would cross, turn Lee's left flank, and cut off retreat to Richmond. Unfortunately for Hooker's flanking plans, he was playing at his enemies' game. Early in May and at midnight, Lee and Jackson were seated on a cracker box in the Wilderness conferring. "What do you propose, General Jackson?" Lee asked. "That we turn the enemy's right, Sir," Jackson replied. "That is also my idea, General," said Lee.

On May 30, 1863, the battle of Chancellorsville was fought. Stonewall Jackson, by the most famous flanking movement of the war, turned Hooker's right, commanded by General Schurz. Hooker was badly defeated, losing 17,197 men. The Confederate loss was 13,019.¹⁶ Alas for the Confederate cause, Stonewall Jackson fell, and the South mourned as Rachel for her children. "God Almighty made up His mind to whip us," sighed an enthusiastic Southerner, "but He couldn't do it until He removed Stonewall Jackson!"

It was now the beginning of summer, and of the third year of the war. The Confederacy had reached its height and unthinking Southerners concluded that victory was sure. On the battlefield southern armies had triumphed almost twice as often as their enemy. Yet appearances were deceitful; each day the South was growing weaker and the North stronger. Foreign intervention had not come, and the North had not divided. The blockade was becoming effective, every seaport south of Cape Charles, except the mouth of the Cape Fear, Charleston, and Mobile, was useless to the South.¹⁷ The man power of the South was diminishing, railroads and public highways wearing out. Finances were awry,

¹⁶ Henderson, II, 519.

¹⁷ Schwab, 236.

the condition of farms and homes deplorable. Pork, cornmeal, and sorghum molasses were the staple food.¹⁸ The people were war-weary, but full of fight. Bickerings between the states and the Richmond Government, and also between the officers, had arisen. President Davis had an army of enemies in his own ranks. The *Mercury* at Charleston and the *Examiner* at Richmond were assailing him. But he was still strong with the people at large.

Though the Federal Government had failed in the East, it had succeeded in the West and in its naval plans, and General Lee was too clear sighted not to look below the surface. Lee anticipated defeat as the inevitable result. Shortly after Chancellorsville, therefore, he wrote President Davis advising a compromise. Lee called attention to Confederate successes and suggested that the opportune time to compromise had come. Delay might prove fatal. In substance, he gave it as his opinion that an offer to return to the Union should be made. This offer would no doubt be rejected and that would strengthen southern morale.¹⁹ President Davis declined to follow Lee's advice. "What plan of compromise is possible?" he significantly asked.

With a heavy heart, Lee went back to his task. He was now at the parting of the ways. Should he intrench his army around Richmond, remain idle and repel attack, or should he wage an aggressive warfare? The former he could not do; delay meant starvation, strangulation, defeat. Forward he must go, but whither? Two courses were open—the invasion of Maryland and Pennsylvania, as in 1862, or the relief of General Pemberton at Vicksburg. Which course should he pursue? Longstreet favored the latter, and there were strong reasons behind Longstreet's advice.

The loss of Vicksburg and the Mississippi River meant the loss of Texas, Louisiana, and Arkansas, with their armies and with supplies and granaries; also the loss of goods smuggled over from Mexico. But there were obstacles in the way of relieving Vicksburg. Richmond would be left exposed; the wear and tear of removing an army a thousand miles was great and railroad transportation poor. On the whole, Lee decided to advance into Maryland and Pennsylvania, and President Davis wisely sustained Lee.

But the policy the Confederate President had heretofore adopted

¹⁸ Wilson, W., IV, 291.

¹⁹ Jones, J. W., *Life of Lee*, 248—date June 10, 1863.

—waging a piece-meal warfare—foreboded disaster. Instead of a mighty army of 200,000 men, Lee had a meager force of about 75,000. Southern governors were more alive to their own states than to the Confederacy at large. Each state kept at home its coast guard, its home guard, and large numbers of exempted men. The Confederate Congress, moreover, had made this bad situation worse by a measure derisively called, “the twenty nigger law”: the owner of twenty slaves was exempted from service.²⁰ This situation Lee was powerless to remedy. He had protested against it. He had also written President Davis that the soldiers were on half rations, their equipment scant, and transportation facilities bad. He had urged the abandonment of outlying posts and the gathering together of an efficient army of invasion.

General Lee had given it as his opinion that Richmond would be safer, and so would other cities, if a great army was concentrated and hurled at the enemy, than if smaller armies were scattered throughout the South. Lee’s advice had been disregarded by the Davis Government, and the obedient soldier would do no more. He would not press the matter. In 1861, the versatile Beauregard, as we have seen, had given the same advice to Davis, complaining of the lack of food, of equipment, and of transportation. Davis had tartly replied to Beauregard and their relations had become strained. The President declared that the General was a dreamer, “drivelling on possibilities.”

The policy of Davis undoubtedly should have been to press into service the home guard, the coast guard, every man, every eighteen-year-old boy, and to commandeer every mule, wagon, and cart, to rush forward every available gun, every ounce of powder, and put them at Lee’s command. The turning point of the war was at hand—as went the Gettysburg campaign, would go the war.

Late in June, General Lee, with his inadequate army, reached Chambersburg and Carlisle. He proposed to capture Harrisburg and march on Philadelphia, Baltimore, and Washington. As he approached Harrisburg, citizens old and young, with shovel and spade, turned out and worked night and day throwing up fortifications.

Since Chancellorsville, the Army of the Potomac had been racked

²⁰ The reason for this measure was to permit the master to remain at home and raise supplies for the army.

with dissension—the politicians had military matters in charge. A loud call for McClellan arose. Finally Hooker was removed, and George G. Meade, the most level-headed officer that had yet appeared in the East, took his place. Hooker's plan had been to capture Richmond, exposed by Lee's march northward. The politicians objected, however. They mistrusted Hooker and would not suffer Washington to be exposed. "Swapping Queens," Lincoln called the probable capture of Richmond by the Federals and of Washington by the Confederates.

At Gettysburg, June 30, 1863, an accidental clash took place between some of General Heth's troops and those of General Reynolds. The bulk of Lee's army was then further north. Lee hastened at the sound of guns. So did Meade, then at Emmitsburg, Maryland. On the next day and the next was fought the decisive battle of Gettysburg—the only battle of the war fought outside a slave state. The battle was a Union victory, Meade losing about 23,000 men and Lee about 28,000.²¹

That Lee was right in giving battle seems undoubted. Time meant everything to the Confederacy, and a fight must take place. Confederate inaction meant defeat. Though Lee had followed Longstreet's advice and retired from Gettysburg, thereby placing his army between Meade and Washington, a battle had to be fought somewhere, and Meade might have intrenched himself, under these circumstances, as well as at Gettysburg. Furthermore, each day's march carried Lee's army further from its base. Soon it would have encountered fierce opposition—a hostile and determined population, streams with bridges torn away, roads obstructed, towns fortified. Moreover, an army, a third larger than Lee's and vastly better equipped, was on his heels.

In our day Gettysburg is looked upon as the Waterloo of the Confederacy, yet at the time it was not so considered. There was much rejoicing at the North, but more over Grant's capture of Vicksburg, which took place the same day. General Halleck, greatly disappointed, wired Meade, "the escape of Lee's army without another battle has created great distress in the mind of the President." In fact, Meade was removed from command.

After waiting two days to be attacked, General Lee, July 5 and 6, marched his army back into Virginia. Shortly thereafter he

²¹ Shotwell, II, 201.

tendered his resignation, which President Davis wisely refused to accept. The regard of Lee for Davis and Davis for Lee remained unchanged to the end. After Gettysburg, little fighting in the East occurred until the following year.

On the western front, conditions were likewise gloomy for the Confederacy. Grant, having received permission from Halleck to attack Vicksburg, had been laying plans accordingly.²² After a vain attempt to change the course of a stream and to cut a canal, Grant boldly marched on the west side of the river to a point below Vicksburg. He then ordered Admiral Porter to come down the Mississippi, defying the guns on Vicksburg's frowning heights. Both movements were successful. The Union army was conveyed across the river by Porter,²³ and, May 16, 1863, Grant attacked Pemberton and defeated him in the battle of Champion Hill. Pemberton retreated and shut himself up in Vicksburg. During subsequent campaigns, Grant rode a fine horse, *Jeff Davis*, he got from the Brierfield stables.²⁴

At that time Joseph E. Johnston was in command of 25,000 troops at Jackson, a few miles from Vicksburg, and was calling for reinforcements. President Davis was urging Johnston to cooperate with Pemberton and give battle to Grant. No doubt the wiser course would have been to order Bragg from Tennessee to join Pemberton and save Vicksburg. This, however, would have been contrary to Davis's policy of protecting each state. It would have meant the loss of Tennessee. Davis would not incur this risk and, in an effort to save both states, lost both.

The two Confederate Generals could not agree on their plans. Each urged the other to engage Grant and Sherman, and each insisted he was not strong enough to do so. President Davis complained of Johnston's inaction and employed sharp and bitter words. Johnston replied in language fully as bitter that he had not been sustained from Richmond and had not sufficient force. After a siege of many weeks, accompanied by untold hunger and suffering, Vicksburg surrendered on July 3, 1863. The fortress of the West, its large guns, more than a hundred thousand small arms, and thirty thousand prisoners fell into the hands of the Fed-

²² General Sherman had attacked Vicksburg and failed. Dodge, 99.

²³ Grant, I, 480.

²⁴ Woodward, 294.

erals. In Lincoln's wonderful words, "the Mississippi now flowed unvexed to the sea."

After the defeat at Gettysburg and the fall of Vicksburg, the war would have ended, had it been a war between nations and not a civil war. In foreign countries these Union victories were decisive. The two English ironclads which would have come to the Confederacy in the event of a southern victory were now withheld; England and France realized at last they could not justify intervention in the American war. Roebuck's motion in the House of Commons to recognize the Confederacy was withdrawn. Secretary of State Benjamin ordered Ambassador Mason to return home and Jefferson Davis expressed his idea of the pusillanimity and treachery of the English and French. He seemed, indeed, without foreign sympathy, except from the Pope of Rome.

At this time, the hearts of many Confederates failed them. They were war-weary. Not so President Davis; he had not begun to fight. He determined to reinforce Bragg's army in Tennessee and to crush Rosecrans—Bragg, an old West Pointer, being Davis's weak spot. Johnston's troops were sent over, Buckner of Kentucky, with his army joined Bragg, and so did Longstreet, traveling a thousand miles. The Federals were equally active; Sherman and Thomas hurried to the aid of Rosecrans; Knoxville was taken. Sixteen thousand of Meade's troops augmented Rosecrans's force. Chattanooga was headquarters.

Bragg was slow to attack, but on September 18, 1863, Longstreet, practically in command, forced a fight on the field of Chickamauga, a few miles from Chattanooga, and won a decided victory. Had not Thomas, "The Rock of Chickamauga," held on and repulsed Forrest and Preston and Cleburn, the Federal army would have broken into a panic. Yet the Confederates, who scaled Snodgrass Hill that day and whose wounded dyed Widow Hunt's mill pond red with blood, left 20,000 of their number on the field. The Union army lost 16,000, but it also lost the battle. Before the fight ended, Rosecrans incontinently fled into Chattanooga,²⁵ and his fame went into eclipse. Bragg was soon to suffer the same fate as Rosecrans when many of his officers signed a round robin, urging his recall.²⁶

²⁵ Eckenrode, 247.

²⁶ D. H. Hill was the leader in this movement and was removed by Davis.

Rosecrans was removed and Grant succeeded him: Grant, the man of steady nerves, who never knew when to turn loose, who often got drunk but was never defeated: Hero of Henry, of Donelson, and of Vicksburg, "Unconditional Surrender" Grant! . . . "I wish I knew the brand of liquor Grant drinks," said Lincoln to a grouchy fellow complaining of Grant's habits, "I would like to furnish a little of it to my other Generals!"

Grant hastened to Chattanooga. In the beleaguered city for weeks he sat, cigar in mouth, gazing at the mountains round about, listening to the enemy's bugle-call above, to the sound of taps—planning a way to extricate the army from its peril.

One day in September, President Davis arrived on Lookout Mountain. He had come to patch up the trouble between Bragg and Longstreet—the latter sustained by the men and officers. He expressed himself as delighted with the situation. Why a bird could scarcely escape from the position of Grant's army! But he was not successful in adjusting the difficulties between Bragg and Longstreet. In truth, Bragg was an inferior General. "He waited till good opportunities to fight had passed and then in desperation seized upon the least favorable one."²⁷

Despite Bragg's unpopularity and the lack of confidence of his men, Davis retained him in command and dispatched Longstreet with 16,000 troops to East Tennessee—a grievous error throughout.

From Tennessee, Davis crossed over into Mississippi and South Carolina. Everywhere he urged the "non-scripts to come forward and do garrison duty, thereby relieving recruits for the army." But he made little impression—he was too late. Two years before he should have assumed the rôle of Dictator; at that time he ought to have commanded and forced non-scripts and conscripts to come forward and do duty at the front with Lee, Bragg, and Johnston. In Charleston Davis's speech was so violent as to offend Stephens, his Vice-President, still hoping for peace.

Grant's plans were finally matured. On November 23, 1863, all was ready. The Federal armies, commanded by Grant, Sherman, Sheridan, and Thomas, having constructed rafts and pontoons, crossed the Tennessee River. A simultaneous night attack in front and in rear was made. Missionary Ridge was scaled and several battles were fought—known as the Battle of Chattanooga.

²⁷ O. R. Series I, 52, Pt. II, Sup. 560.

Hooker and Sherman did valuable work. The badly routed Confederates fled, jeering Bragg as they ran. In the midst of the rout, Bragg, really a gallant officer, galloped to the front waving his sword and shouting, "Soldiers, here's your General!" "And here's your mule!" the fleeing soldiers jeered.²⁸ Grant, the Nation's hero, was called to Washington and made Commander-in-Chief of all the Union forces. And the only real Thanksgiving the North had had in four years was this November 25, 1863, when the West was lost to the Confederacy.

Reluctantly, President Davis removed Bragg and promoted General Hardee, without a word of notice to Johnston, who was Hardee's superior. Hardee declined. On December 16 popular clamor forced the President to assign Johnston to Bragg's vacant post. But even so, Bragg was called to Richmond as military adviser to the President! Thus was ending the third year of the war. In this time, by a winnowing process, lesser men had sunk beneath the wave, and only two great soldiers survived—Lee and Grant. Lee, who did not believe in slavery and had freed his slaves, was fighting the battles of slavery; Grant, who believed in slavery and owned slaves, was fighting the battles of freedom.²⁹

At Richmond, President Davis was passing into eclipse; the defeat at Missionary Ridge and the utter demoralization that followed were straws that broke the camel's back. Davis's quarrels with the dependable Johnston and the dashing Beauregard were likewise recalled, his favoritism to Benjamin, Pemberton, and Bragg, to Northrop and to Winder. And now Bragg was his military adviser, more influential than Seddon, Secretary of War, or Lee, or Benjamin! ³⁰

²⁸ *Ecce tibi Sebosus!* Cicero, *Ad Atticum*, 15.

²⁹ Mrs. Grant owned three slaves. Woodward, 125.

³⁰ Mrs. Davis had urged Bragg's removal as commander in the West.

CHAPTER XVIII

THE THIN GRAY LINE

One by one the plans of President Davis were going awry; England and France had all but abandoned the Confederacy and the North had not become divided. One hope only remained; the peace party might yet prevail. Possibly war weariness would cause the election of a President and a Congress which would cut off supplies and end the war. Ill-treatment of McClellan had embittered that proud General and his name was coupled with the leadership of Democracy and of Copperheadism.

In both North and South conscript laws had been passed which proved highly unsatisfactory. In 1862, the Confederate Congress had conscripted able-bodied men from eighteen to forty-five. Forthwith, Vice-President Stephens, Governor Brown, and R. B. Rhett opened up, declaring the conscript law destructive of the very foundation stone of the Confederacy. What had become of state rights if South Carolina and Georgia might be ordered about by the tyrannical Davis? The "twenty nigger law" embittered poor whites. The *Sentinel* of Raleigh dubbed the war a rich man's war and a poor man's fight.¹

Southern courts, on writs of habeas corpus, released conscripted men upon the flimsiest excuse or upon none at all. Thousands avoided service under exemptions—mail clerks, teachers, preachers, office-holders, millers. The result was that the southern army was composed mostly of brave, loyal spirits, too proud not to fight.²

The northern conscript act of March 3, 1863, was equally unpopular. One provision of this measure authorized the payment of three hundred dollars in lieu of military service—a monstrous provision, quite as unwise as the twenty-negro exemption. The writ of habeas corpus was suspended, and the poorer classes in

¹ Schwab, 187.

² Richardson, I, 395.

New York and other cities were enraged.³ In July, 1863, when the draft was put in force in New York, a riot ensued. Many Democrats proclaimed the law unconstitutional; foreigners, the Irish in particular, resisted conscription. Negroes, being the cause of the trouble, were shot down and killed without mercy. After four days of rioting, the mob was dispersed. A thousand people had been killed and a million and a half dollars of property destroyed.⁴

Despite setbacks, the northern steam roller continued to operate. Stanton, the iron War Secretary, was conducting his department with efficiency and with a despot's rod; Seward, Lincoln's chief adviser, Wells of the navy, and Chase, Secretary of the Treasury, were straining every nerve to create the machinery necessary to save the life of the nation at war. Attorney-General Speed was bending the Constitution to the breaking point. Millions were borrowed abroad on Government bonds; paper money was made legal tender.⁵ Warships were being bought and built, roads constructed, arms and munitions gathered together, clothing and food provided.

How could the impoverished agricultural and slave-ridden South stand against this organized machine? "War is business, not sentiment," Secretary Toombs had said to Davis—and it was even so. Though mighty deeds of valor were enacted in the land of Dixie, what availed they? Mosby, the Confederate guerilla, with three hundred men at Berryville, might swoop down on Sheridan's provision train, escorted by two thousand troops, and capture the entire outfit, going away with six hundred prisoners, thousands of beef cattle, and horses; Forrest, the Dare Devil, with a price on his head, might gallop his steed at midnight into the hotel, headquarters of the Federals, at Memphis, surprising and overpowering them; John H. Morgan, the Raider, might terrify Kentucky and Missouri in spectacular onslaughts, while Stuart and Early were circling around the Union army and the Capital city itself—but what of all this?

One efficient machine gun, one well equipped battleship, operating along scientific lines, was worth a thousand raids. In this, the last year of the war, the two industrial systems—the agricultural

³ MacDonald, 459.

⁵ *Ibid.*, 446.

⁴ Rhodes, V, 329.

system of the South and the manufacturing of the North—were at close range and in deadly grips. In the 1850's, Congressman Yancey had boasted of his ideals, unwittingly foretelling their failure. "In Washington," said Yancey, "there are two temples: one for the South, the other for the North. To the South statecraft—the Capital—is supreme; to the North, the Patent Office."⁶ And Yancey was undoubtedly right: sentiment ruled the South; business the North. As the war dragged itself along, Yancey's observation was fully exemplified. The inventive, industrial, methodical Yankee was winning out, despite war weariness at home—mothers, widows, and orphans weeping for their dead, and gold bringing 285.

On March 10, 1864, Grant became Commander-in-Chief of the Union forces and assigned W. T. Sherman to the command of the West. The objective of Grant was Richmond; of Sherman, Atlanta. On May 3, Grant crossed the Rapidan and began his hammering process. "On to Richmond," was the cry as in 1862 and '63. Before Robert E. Lee, the best tactician and strategist in either army, McClellan, Pope, Burnside, and Hooker had fallen; Meade had been fought to a standstill. How would Grant fare? Lee determined to stop Grant, though he had only about one-half the number of troops. He, therefore, concentrated his forces in the Wilderness, a dense thicket beyond the Rapidan, and in a two days' fight destroyed 17,666 of Grant's army, his own loss being comparatively light.

A week later, Grant again attacked—he was going to "fight it out along that line if it took all summer." His brave soldiers almost mutinied; the slaughter seemed so utterly useless. Grant's conduct was now indeed little short of rashness; some of his best officers thought it "the very abdication of leadership." The gallant Generals, Wardsworth, and Sedgwick, were killed, many of the bravest of the brave fell. Lee had so out-generaled Grant, the Union batteries were useless and Grant's army placed at a disadvantage.

On May 22, Grant crossed the South Anna and made the mistake of dividing his armies. Lee rushed his troops between Grant's two wings, "completely check-mating Grant."⁷ At this time, General Butler, under Grant's orders, with thousands of troops, ap-

⁶ Brown, 87.

⁷ Nicolay and Hay, VIII, 389.

proached Richmond from the Peninsula, and might have taken the unguarded city, had he been competent. Butler was frightened away by Beauregard's army—a miscellaneous group hastily collected from here and there. Indignantly, Grant made a report to Washington that Butler had let his army "get bottled up."⁸

Grant's army was now fighting on the old battlefields around Richmond, where McClellan had fought two years before, and almost in sight of the spires of the Confederate Capital. Doggedly Grant stood, resolved to take the city regardless of human life. He had no idea of backing out and suffering the fate of the predecessors. But Lee's well constructed breastworks at Cold Harbor confronted him. Grant ordered a charge. Forward, the brave Union soldiers moved and were mowed down like wheat before the sickle. In an incredibly short time, Grant lost 7,000 men, admitting he had gained no advantage by the attack,⁹ and suffering greatly as a military leader.

On June 12, Grant abandoned the attempt to capture Richmond from the north and skilfully crossed the James River to take Petersburg and move thence on to Richmond.¹⁰ Grant's failure to destroy Lee greatly perplexed President Lincoln. After the fiercest six weeks' fighting of the war, Grant was no nearer Richmond than McClellan had been in 1862, or Pope, or Hooker, Burnside, and Meade, in 1863. Opposition to the war again broke out, business interests were alarmed, and gold rose to great heights. . . . The election of McClellan to the Presidency seemed certain. The removal of Grant was freely discussed and Sherman spoken of as his successor. Grant wrote Sherman he would gladly serve as his lieutenant if the change was made.¹¹

Critics attach blame to Lee for permitting Grant to cross the James unopposed. But Lee's exhausted army, weary and poorly provisioned, was in no condition to change base and renew the attack. How indeed was greater resistance possible? Lee's brave boys were ragged and hungry. "In one regiment only fifty men had serviceable shoes—four hundred in one division were bare-foot, and one thousand without a blanket—their daily rations a

⁸ Page, 426.

⁹ Grant, II, 276.

¹⁰ Shotwell, II, 255.

¹¹ Rhodes discovers no evidence of this. Rhodes, V, 506; Sherman, II, 307.

quarter of a pound of salt meat and a handful of parched corn." The Wilderness campaign was undoubtedly the culmination of Lee's military career; its very capstone. "Mars' Robert," as his men lovingly called the General, had not only planned a campaign; he had executed it.¹²

At Spottsylvania, when Longstreet was shot down and the troops wavered for a moment, Lee put spurs to his gray horse, Traveler, and hastened to the front. From a hundred throats came the cry, "Lee to the rear!" so dearly did his soldiers love the man. For six long weeks they stood up under the hammering of Grant's brave men. This too when other battle fronts were lost, when ultimate defeat was certain. Nevertheless, in a few weeks, Lee gathered himself together again and confronted Grant, dispatching his cavalry leader, Early, into the Valley. Early swept the Valley of the Federals, and on and on he rushed, almost capturing Washington. . . .¹³

As the proud Confederate President heard the roar of Grant's guns, he realized that defeat stared him in the face. Yet he neither wavered nor blanched. Others might yield; he never would. His position in Richmond, however, was unsatisfactory. He had played the game, played it his own way and had lost, and was now the scapegoat of a thousand enemies. From the beginning he had declined to take part in public functions or to participate in public entertaining, and such exclusiveness had made him disliked. He could not entertain and administer the government at the same time, he said. Moreover, as Mrs. Davis states, when the President gave an entertainment, "the death of a relative or disaster to the Confederacy would be announced, destroying all pleasure."

The President, "a nervous dyspeptic, could not eat under excitement, without becoming ill for days." Naturally such frugality and seclusion provoked criticism. *The Examiner* "sent forth a wail of regret over the parsimony of the administration; the President was getting rich on his savings; he was putting on airs and assuming the superior dignity of a satrap."¹⁴

¹² The author's favorite uncle, Col. F. W. Byrd, was killed in this campaign.

¹³ *Memoir*, II, 161.

¹⁴ *Ibid.*, 161; Harrison, 127.

Almost from the first, the President had had trouble with Congress and with Secretary Toombs; few indeed were those agreeing with him and sustaining him. Toombs, Yancey, and Rhett broke with the President and censured his waiting policy, and his doing nothing foreign diplomacy. Congress was continually censorious. When Roanoke Island fell in 1861, Benjamin, Secretary of War, was bitterly assailed by Congress; he had failed to send munitions to General Wise, though urgently requested to do so. In consequence of this neglect, the North Carolina coast was lost and its Governor and people embittered. Congress demanded Benjamin's removal. The President, knowing Benjamin had no available supplies, heeded not the Congressional resolution, but promoted his favorite to Secretary of State.¹⁵

The proceedings of Congress were often turbulent and when an administration Senator would come to the aid of President Davis, he was sometimes assailed. In February, 1863, Senator Hill of Georgia was defending Davis; he declared that Senator Yancey's charges against the administration were false and known to be false.¹⁶ Instantly Hill seized a heavy glass ink-well and hurled it against Yancey's cheekbone. Bleeding profusely, Yancey fell to the floor. The Senate went into executive session, and resolved that the affair was highly disgraceful. Yancey obtained a leave of absence for five days and died the following July. Senator Foote, in his *Caskets*, charges that Hill killed Yancey, but the Hill family deny this and assert that the Georgia senator died of kidney trouble.¹⁷

The hostility of Congress to President Davis was seen in the smallest matters. Thus, in 1862, the Senate refused to confirm his appointee, Joseph R. Davis, in the office of Brigadier-General. Joseph was a son of Samuel, and the President's nephew. A motion was actually made to go into open session and discuss the matter publicly! This motion, however, was lost, and after days

¹⁵ Governor Vance, long after the war, maintained that Davis was "an incompetent ass," but in the correspondence between the two, Vance came out of the little end of the horn. Letter in Library of University of North Carolina.

¹⁶ In 1862 when Yancey returned from England he was appointed to the Senate.

¹⁷ *Senate Document* No. 27, Secret Session, 48; Hill, B. H., *Life of B. H. Hill*, 43.

of heated debate, a motion to reconsider was passed and by a small majority the appointee confirmed.

Quartermaster-General Northrop was the President's particular favorite and was perhaps the most disliked man in the administration. Foote, Senator from Tennessee, bitterly assailed him. On one occasion, when General Lee made suggestions to the Quartermaster for raising provisions for the army, Northrop abruptly overruled Lee.¹⁸ The people of the South charged that Northrop was incompetent and partial and that General Winder's police regulations were despotic—he arrested without cause and imprisoned without excuse. Moreover, Northrop and Winder were inflated and self-sufficient. To these complaints the President turned a deaf ear and sustained his officials¹⁹ throughout. No one can read the correspondence between Lee and Northrop without concluding that President Davis committed a grave error in retaining his Quartermaster.

President Davis's troubles with his Generals were also serious. Since August, 1861, the feeling between the President and General Joseph E. Johnston had been unkind. This situation arose, as Johnston claimed, out of an affront to him by the President in the appointment of five generals under the order of Congress.

In the old army, Johnston had outranked Cooper, Lee, Albert Sidney Johnston, and Beauregard. Yet the President disregarded this order of rank and placed Joseph E. Johnston fourth from the first. This insult embittered the proud, generous, warm-hearted, and capable soldier and he proceeded to tell the President what he thought of his conduct. Davis replied that Johnston's letter was insubordinate. This affair was taken up by Congress and by the army; it was fatal to harmony and destructive of success. Technically, the President was right, but in equity and common sense, he was wrong.²⁰ Twice President Davis removed General Johnston and twice was forced to reinstate him.

In the battles around Vicksburg, Davis reprimanded Johnston in scathing language. Even while Gettysburg and Vicksburg were

¹⁸ O. R. VIII, 674-5; Page, 605.

¹⁹ Jones, J. B., I, 182-198.

²⁰ J. E. Johnston had been Quartermaster General, a brevet office; Cooper, Lee, and A. S. Johnston had not attained that rank. But a brevet generalship is temporary. Johnston did not, therefore, outrank the other officials.

falling upon the head of the Confederate President, he wrote Johnston a four-thousand-word epistle, not constructive but destructive, dividing his letter into sections "I, II, III," etc. to XXIV!" "My surprise at your statements is supreme," he scolded. "I characterize this as a great error. . . . My language bears no such construction. . . . If your mistakes as pointed out had been acknowledged, they would have been overlooked."²¹

President Davis's letters to Beauregard, when the latter criticized Northrop, and Benjamin took up the quarrel, were almost brutal. Beauregard had "misinterpreted Benjamin" . . . "You do not surely intend to inform me," Davis wrote, "that you and your army are outside the limits of the law. . . . You have disregarded your duty and the most mild and considerate course is to inform you of your errors committed."²²

Davis's breach with Stephens was now complete and the Vice-President had quit Richmond and gone to Liberty Hall, his Georgia plantation. As the fall elections approached, Stephens had devised a scheme to elect McClellan and defeat Lincoln. A Yankee prisoner, Coble by name, knew enough to accomplish this result, said Stephens, who urged Davis to press the matter. Davis failed to reply and Stephens was enraged, charging that the President preferred Lincoln to McClellan and was a traitor and false to the South! With sarcasm and at great length, Davis replied to Stephens. At a later date, the Vice-President again arraigned the administration in a speech to Congress, charging it with incompetency.

Despite these troubles, the resolute President went his way, holding to his favorites, Bragg, Pemberton, and Northrop, and, striking right and left—sending special messages to Congress, writing open letters to the people, urging every one to rally to the cause with no thought of peace or compromise, and declaring he would not supplant Bragg with Beauregard if the whole world asked him to do it! The dauntless spirit of Davis moved Congress itself to assert that a reunion of the states was impossible.

No doubt President Davis's numerous difficulties were due to oversensitiveness. "Mr. Davis was abnormally sensitive to dis-

²¹ Johnston, 241.

²² Rowland, V, 163.

approval," said Mrs. Davis. "Even a child's disapprobation discomposed him."²³ "He felt how much he was misunderstood and his sense of mortification and injustice gave him a repellent manner." More and more, he therefore attached himself to agreeable associates, those who neither argued nor contradicted. Flattery he did not covet; indeed he would have spurned it. Not compliments, but obedience, he demanded. Hence his attachment to Benjamin, Northrop, Hunter, Bragg, Winder, and to Lee. These men expressed themselves but went no further; they did not cross him.

Not so Rhett, Yancey, Stephens, Toombs, Johnston, Beauregard, Governors Vance, Brown, and Foote, Generals D. H. Hill, G. W. Smith, and scores of others. They insisted the President was wrong and urged him to change. Virginia Congressmen finally censured the President's cabinet, demanded its reorganization, and ran out Secretary Seddon and General Northrop. Congress likewise demanded information as to the status of foreign recognition, and took steps looking to the supplanting of the President by Lee as Commander-in-Chief. When this final step was taken, Davis's plucky wife got on her dignity and vowed, "I would rather see him dead than thus humiliated." And yet, the detractors of the President were not themselves agreed, some charging he was a dictator, others that he was too mild and had no policy but one of waiting.

In the midst of these difficulties and of increasing bodily infirmity, a domestic sorrow overtook the President. At the time Grant was menacing Richmond, President Davis's anxiety was so great and his loss of sleep so exhausting, he would forget to take nourishment. Each day at the noon hour the solicitous wife would carry a lunch over to the office. One noon in April, 1864, Mrs. Davis left the children playing in her room and went as usual with delicacies for her husband. As she was uncovering her basket, a servant rushed in screaming, "Little Joe has fallen and killed himself!" The child in play had climbed over the connecting angle of a banister and fallen to the brick pavement below.²⁴ The little fellow was his father's hope, "his greatest joy." At bed time it had been a beautiful sight to see the six-

²³ *Memoir*, II, 163.

²⁴ *Ibid*, II, 497.

year-old crouch down between the stern man's knees and say his simple, "Now I lay me down to sleep."²⁵

To understand the depth of President Davis's grief on this occasion, one must read the letters to his wife at a former date when their "angel baby" was sick.²⁶ "Unless God spares me such another trial," he wrote, referring to the death of little Samuel in 1858, "what is to become of me I don't know. My ease, my health, my property, my life, I can give to the cause of my country, the heroism which could lay my wife and children on any sacrificial altar is not mine. Spare us, good Lord."

Much has been written of the Wilderness campaign, but nothing is so eloquent of Lee's matchless strategy as the results which followed. After Grant's losses at Cold Harbor, northern discontent was never more general and gold rose to its greatest height. When would the slaughter of northern boys end? President Lincoln, unofficially, authorized commissioners to go to Richmond and seek a compromise. On July 17, 1864, Colonel Jacques and a Mr. Gilmore reached Richmond and had an interview with President Davis. If Davis would stop the war and come back into the Union, Lincoln would agree that the question of liberating the slaves should be submitted to the vote of both sections, and if the slaves were set free, their owners should be fully compensated.²⁷

With compressed lips and stern set face, the iron Confederate President listened and then he spake. "Tell your President," said he, "he can have every negro at Brierfield, if he will but agree to support them. They have never been other than a burden to me." In truth, President Davis spurned the offer. It was an insult; it required him to go back on the creed of a lifetime. Moreover, it was unconstitutional. The conference ended in nothing and upon the battle lines the killing went on, women continued to weep, and pickets to tread their beats—while all was quiet along the Potomac.

Meanwhile, the Presidential election in the United States was coming on. The Democratic party at Chicago nominated McClellan, and its platform declared the war a failure. Lincoln, sure

²⁵ Fleming, "Religious Life."

²⁶ *Memoir*, II, 311.

²⁷ Mason, 521.

he would be defeated, wrote out and filed away minute directions as to saving the Union before his retirement, March 4, following.²⁸ But the victories of Sherman and Thomas in the West and of Sheridan in the Valley turned the popular tide and saved the Union. Lincoln and Johnson were elected.

In the West, J. E. Johnston, who had succeeded Bragg, was skilfully opposing Sherman's advance on Atlanta, falling back to advantageous positions and fighting several small battles with success. Kennesaw Mountain was one of these. Johnston claimed he was holding Sherman as far from Atlanta as Lee was holding Grant from Richmond; and if Davis would order Forrest to cut Sherman's communications, all would be well. As Johnston was about to make a stand, Davis removed him and appointed the impetuous Hood in his place. Johnston's removal was brought about by Bragg; nor had Forrest been ordered to break Sherman's communications.

On July 22, 1864, Hood gave battle and was defeated. The Union army entered Atlanta, and the South was undone. Hood then marched back into Tennessee to cut off Sherman's anticipated line of retreat, President Davis likening Sherman's position, far from his base of supplies, to Napoleon's at Moscow. But Sherman did not retreat.

Davis urged the people to resist Sherman to the death, but their spirit was gone. Sherman marched unmolested to the sea, captured Savannah and Charleston and destroyed property along the way. Atlanta he burned; Columbia he was charged with burning.²⁹

At Nashville, December 15, Thomas annihilated Hood, and Sherman was practically unopposed in his march north to join Grant, then besieging Petersburg. In the battles around Petersburg, Grant had been severely punished and Lincoln visited the battlefields. He complimented his favorite General, but cautioned him to be more provident of his men—a caution Grant heeded in the future.³⁰

²⁸ Winston, 255.

²⁹ Sherman's idea was that "War is Hell!" Sherman, III, 111. This was Stonewall Jackson's notion also, though Jackson burnt no private property. Rowland, X, 122. John Johnson, the South Carolina historian, concludes that Sherman's raid ended the war. Johnson, 242.

³⁰ Eckenrode, 296.

But neither a Union Republican victory nor the fall of Atlanta, nor Sheridan's raid, nor Thomas's knockout blow to Hood calmed the fears of the North. Would Lee's 1865 spring campaign cut Grant's army to pieces as in the Wilderness fights? These thoughts bore heavily upon the gentle, humane Lincoln, who determined if possible to prevent further slaughter. In January, 1865, Lincoln sanctioned a visit of F. P. Blair to Richmond on a mission of peace. Davis and Blair had been friends, and Blair took the liberty of saying to Davis that slavery was doomed, whichever side won. Why not peace at once? he asked. Davis agreed to send commissioners to meet Lincoln at Hampton Roads, but directed them to accept nothing less than peace between "the two countries."

Lincoln had written that the conference would endeavor to secure peace "to the people of our one common country." The Hampton Roads conference met, Lincoln and Seward representing the Union; Stephens, Campbell, and Hunter, the Confederacy. Lincoln was never in a happier frame of mind. If they would let him write one word, they might write the rest. Lincoln's word was "Union." Under President Davis's orders, Stephens rejected Lincoln's offer to come back into the Union. Lincoln and Seward had stated that the sum proposed for the payment of slaves was \$400,000,000.

When the Confederate commissioners reported their failure to President Davis, he delivered himself to an excited crowd. "With the Confederacy I will live or die!" he exclaimed. "I thank God I represent a people too proud to eat the leek or bow the neck to mortal man!" The martial spirit of the people flared up—never since Patrick Henry's words, "Give me liberty or give me death," had a Virginia audience been so moved.

Though Lincoln was anxious to end the war, he was unwilling to authorize Grant to meet with Lee and adjust the difficulties. Indeed, on March 2, 1865, when Lee wrote Grant proposing a conference, Grant declined the offer.⁸¹

Northward Sherman's mighty hosts were now marching to join Grant. But the junction was never made. While Sherman was in North Carolina, Lee's thin gray line around Petersburg cracked and Lee was compelled to seek safety in flight. Shortly, his

⁸¹ McCabe, J. D., *Life of Lee*, 577, Atlanta, 1865.

pathway to Danville and to Lynchburg was blocked by the vigilant Grant and the ubiquitous Sheridan.

Trying days these were to Lee, who realized that the end was at hand. The supply trains had failed to arrive, the commissary department as usual had broken down, and the long-drawn-out Confederate line was broken at last.³² Closer and closer drew the Union cordon around Lee's army, foot-sore and hungry. Presently the magnanimous Grant sent a courier across the lines with a note for General Lee. Grant urged Lee to fight no more, to waste no more lives. Lee called a council of his little staff. General Alexander and others insisted that the army should break into small groups and make their escape to the mountains or to Texas and fight a guerilla warfare. "No," said the southern chieftain. "The time to surrender has come." General Alexander asks what the world will say to the surrender of an army in the field. Lee replies, "That is not the question, General. The question is, is it right?"³³

Negotiations follow. Lee and Grant meet and confer. Grant agrees that the officers may keep their side arms and the men their horses to make a crop. Lee calls attention to the condition of his soldiers, who have been subsisting on corn meal mixed with hot water in tin cups. Grant orders Sheridan to prepare necessary rations. Savory beef, white bread, and hot coffee appear, luxuries the poor fellows have not tasted in many a day. A second time Lee and Grant confer and talk of the past, while the officers are writing out the terms of surrender. Considerately Grant has arranged this task for others to save annoyance to Lee.

Finally the hour comes when Lee and his men must part—part after four years together. Lee directs Marshall, his Aide, to prepare a short farewell to his "Boys." As Marshall reads, Lee listens. "Strike out those harsher expressions," says Lee. "There must be no more bitterness between North and South—we are now one country." Mounting his gray horse, Traveler, Lee rides away into merited immortality. Thousands of brave Union soldiers stand at present arms, doing all in their power to

³² Page, 498, 616.

³³ Adams, C. F., *The Transvaal and the Confederacy*. A people's obligation to Robert E. Lee, a pamphlet, October 30, 1901. I commend this address.

show respect and veneration, "while one of the loftiest souls God ever sent upon earth is humbled."⁸⁴

"Oh! my mother, my mother," exclaimed Coriolanus, as he spared Rome and went to his death, "you have saved your country but lost your son." When Lee heeded the cry of his mother, Virginia, he wounded his country but only for a moment: from the surrender at Appomattox to the date of his death, October 12, 1870, America had no son more useful or patriotic than Robert E. Lee.

Almost immediately General Lee applied for a pardon and devoted his last years as President of Washington and Lee University to training southern youth and healing the wounds of war.⁸⁵ Lee's application for pardon was granted by President Johnson on Christmas Day, 1868, but the pardon came too late, as a summary of events will disclose.

On July 17, 1862, Congress had disqualified all persons connected with the Rebellion from holding office; this practically included the whole South. December 8, 1863, Lincoln pardoned all who would come back into the Union; May 29, 1865, Johnson granted amnesty to those who could take the iron-clad oath; this left thousands unpardoned; March 2, 1867, negroes were made citizens and allowed to vote; July 28, 1868, the Fourteenth Amendment was adopted, giving Congress power to remove the disabilities and taking such power from the President. Christmas Day, 1868, Johnson pardoned every one, but this was, of course, ineffectual. In 1872, Congress extended amnesty to all except about seven hundred and fifty of the most prominent Rebels.⁸⁶ The excluded ones included Lee and Davis; and not till June 6, 1898, when both were at rest, were all war disabilities removed by a vote of Congress.

⁸⁴ Furl that banner, for 'tis weary,
Round its staff 'tis drooping dreary,
Furl it, fold it, it is best,
For there's not a man to wave it,
And there's not a sword to save it,
And there's not one left to lave it
In the blood which heroes gave it
And its foes now scorn and brave it—
Furl it, hide it, let it rest.

⁸⁵ Maurice, 253; Charles Francis Adams's address at Lexington, a pamphlet.

⁸⁶ Fleming, *Documentary History*, II, 431.

CHAPTER XIX

HUMILIATION AND MORTIFICATION

When the Confederate line at Petersburg broke on Sunday, April 2, 1865, Lee at once notified Davis, who was in attendance at St. Paul's Church. Quietly the President withdrew; in those tragic days a telegram, even when it called the chief executive from church, created no excitement. The news of Lee's retreat and of the certain fall of Richmond soon spread. A few families fled but most of them remained. Davis, ever solicitous of wife and children, had already sent his family to Charlotte, North Carolina. Mrs. Davis's sale of her personal effects, presents included, excited fierce criticism.¹

The President now set about to leave Richmond. At the "White House" all was confusion, the very housekeeper and servants had turned against the dethroned king.² Little Maggie's saddle was concealed and could not be shipped as Mrs. Davis had requested; her own saddle horse was gone; and at the railroad station the authorities "refused to let her carriage go on the first train." Every one seemed "afraid of contact with the President's property." Davis's humiliation and mortification were most distressing, yet he concealed his feelings and put on a bold front.

He wrote his wife that Lee's action in withdrawing from Petersburg was improvident and the Confederate line "should have been held together." He assured her that "he could have successfully executed a plan, which he had sketched to her, if Lee's line had held and the Confederacy would to-day be on the high road to independence." Even after that disaster, as he went on to say, "if the 40,000 stragglers had come back with stern courage and weapons in their hands, we might have repaired the damage." Davis proposed to set sail from Mobile to a foreign port or to

¹ Jones, J. B., II, 340.

² Rowland, VI, 561; 526-598. Quotations in this chapter, unless otherwise indicated, are from Rowland.

Texas. "Dear Wife," he broke out, "this is not the fate to which I invited you when the future was rose-colored to us both."

But Davis's present situation was not more humiliating than before Lee's retreat from Petersburg. Congress had manifested a lack of confidence in him, Boccock, Speaker of the House, declaring a resolution to that effect would surely be adopted if offered.³ Martial law was threatened and Lee was urged to supplant Davis and accept the dictatorship. A few months earlier, it was currently reported around Richmond that the President had lost his mind and was incapable of transacting business.⁴ It was likewise understood that he was opposed to peace on any terms and would reject the most favorable offer from Washington except on the basis of independence. For these reasons and because of distress in the homes of southern soldiers, where women and children were suffering for the necessities of life, desertions by the thousands had taken place.⁵

But even more humiliation awaited the unfortunate Davis—he must drink the cup of bitterness to the very lees. In March, Congress had passed an act to enroll negroes in the ranks. This meant the liberation of the slaves and the overthrow of Davis's conception of southern civilization. If the negro was mere property, how could he be expected to fight? Howell Cobb, the owner of a thousand slaves, gave it as his opinion that if "slaves would make good soldiers, our whole theory of slavery is wrong." But this bitter dose—recognizing the negro as more than a chattel—the President must likewise swallow.⁶

On March 25, President Davis wrote Governor Smith of Virginia that the order to enroll colored troops had been made, that it was now voluntary, but the power of compulsory enlistment still remained. When the imperious man signed the order, calling negro slaves to the colors, what must have been his emotions? Truly the curse of God was about to be removed from the "graceless sons of Ham."

At length everything was ready for the disruption of the Confederate Government and its removal to another point. On April 3, the President and his cabinet boarded a train packed with fleeing officials, archives, and a half million dollars in gold. After

³ Stephenson, 156.

⁴ Rhodes, V, 482.

⁵ Dodd, 346.

⁶ Rhodes, V, 67.

a day and night, the fugitives reached Danville, Virginia, and the Confederacy began to operate again. April 4 the unterrified President issued an address to the people. Lee's retreat, he asserted, was "but a new phase of the war,"—the making of a "movement of troops which uncovered the Capital. . . . A great moral and material injury, this may be, but it has its advantages, it relieves us from the necessity of guarding cities and remote places and our army can more easily operate on interior lines. . . . Our triumph is certain if we exhibit our unconquerable resolve." As Mrs. Davis, in Charlotte, read this address, she wrote her husband she could "not make much out of it except encouragement."

April 10, news came of Lee's surrender and this necessitated a removal to Greensboro, North Carolina. There the Confederate Government again functioned, and the President directed his arch-enemy, General Johnston, commanding an army near Durham, to hasten to Greensboro. He likewise issued orders to General Northrop and other officials to make preparation to continue the war. By a strange fate, Beauregard was in command at Greensboro and thus Davis was in the hands of the two men he most disliked.

On the nineteenth, the President and his party moved down to Charlotte, where a wire from Breckinridge announced the death of Lincoln. Davis's bodyguard cheered wildly, but Davis himself was impassive and undemonstrative; it was not a day of pity. Wade Hampton wrote from Hillsboro proposing to escort the President safely across the Mississippi River, "had he but twenty thousand cavalry." From Charlotte, coin amounting to \$40,000 was forwarded to Johnston's army and \$230,000 to Richmond banks. Soon thereafter the entire amount of money which had been brought from Richmond was legally and properly distributed.⁷

Bands of Unionists were now in pursuit of the fugitive, on whose head President Andrew Johnson had laid a reward of \$100,000, charging him with complicity in the murder of Lincoln. Ere this the cabinet had dispersed, except Benjamin, Mallory, and Regan. May 3, the presidential party sets out for Abbeville, South Carolina, to join Mrs. Davis, but she has moved over to

⁷ *Southern Historical Society Papers*, IX, 542.

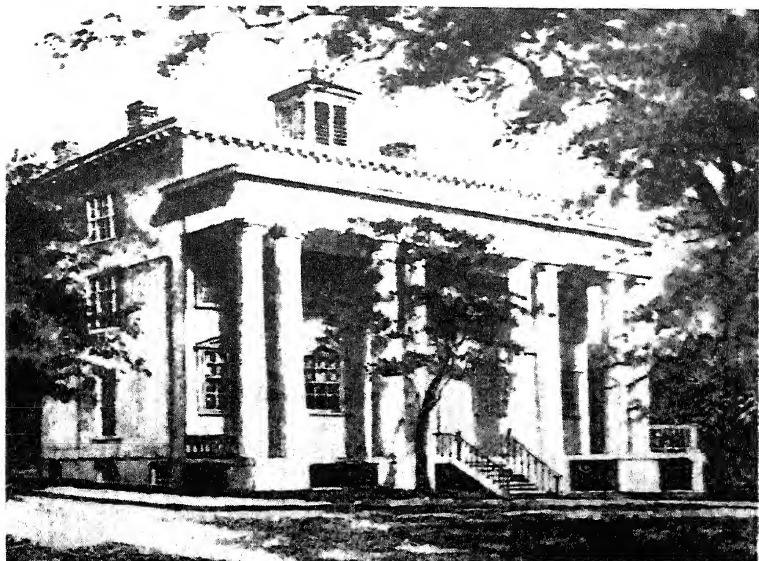
Washington, Georgia. At Abbeville, where the first secession meeting was held, the last cabinet meeting was also held. May 4 the Savannah River is crossed and Washington reached.⁸ But Mrs. Davis and the children have left before the party arrives. Benjamin and Mallory now depart. Davis and Regan and ten trusty men move forward, passing through Laurens, Dodge, and Irwin counties.

Along the highway and some two miles from Irwinsville, Georgia, Mrs. Davis and the children are overtaken. They are in charge of Burton Harrison, the President's secretary. At the dawn of a gray morning on May 10, the President of the Confederacy is captured . . . Such are the bare facts preceding the collapse of the Confederate Government, but clothed in flesh and blood how they pulse with human suffering and human affection.

On Monday, April 3, 1865, after President Davis left Richmond, the historic and cultured city went to pieces. General Ewell had ordered the armory and the storage houses to be burned. A conflagration swept the town; a mob set fire to other buildings, and began the work of plunder. As a precautionary measure, the Confederate Government had ordered all liquors to be poured into the gutters. Men and women with buckets and dippers gorged themselves. Convicts broke out of the prison camp and added additional terror. Federal General Weitzel at Petersburg, discovering the flames, marched cautiously to Richmond and extinguished the fires and restored order. He likewise relieved the hunger of the people.

But not alone had demoralization overtaken Richmond. The President himself, as I have indicated, was torn with anxiety. Two thoughts possessed the distracted man—to continue the war and to protect wife and children. The first impulse proved abortive. Davis soon discovered that his career was ending in a people's sorrow if not in their anger. Lee and Judge Campbell, together with other conservatives, disapproved of his flight and advised that he remain and make a dignified surrender. This, too, was the hope of Admiral Porter, who escorted Lincoln through the streets of Richmond and to the deserted home of the late

⁸ Washington also claims to be the last meeting place of the cabinet. *Southern Historical Association Publications*, V.



THE WHITE HOUSE OF THE CONFEDERACY,
RICHMOND, VIRGINIA



GENERAL LEE'S FAREWELL TO HIS TROOPS
—From the painting by John A. Elder.

President.⁹ But Davis was not a compromiser. He proposed to fight on until the last man was killed.

Again, as the ex-President moved through North Carolina, his reception was far from cordial. At Greensboro he was compelled to sleep in a box car, the people being afraid to give him shelter.¹⁰ He and his wife concluded that though friends were kind, "the people at large were a craven set; they could not bear the tug of war."¹¹

Davis complained that a panic had seized the country and sought to infuse "the craven set" with courage. A bitter disappointment was the action of Generals Johnston and Beauregard and of the cabinet. At Greensboro, each member of the cabinet except Benjamin gave an opinion in writing proposing a surrender and reunion. This did not please the President. After the arrival of Johnston, the President called him and Beauregard in council. "He did not ask their advice; he directed them how to proceed." The war was to go on and the troops were to be concentrated forthwith. In two or three weeks, he declared, he would have a large army in the field. He proposed to call the men back into the ranks, retreat to the mountains and carry on a bushwhacking fight.¹²

The stubborn attitude of the President gave Secretary Mallory much anxiety and he insisted that Johnston propose negotiations to the President. Johnston thought Mallory the proper person to do this. Mallory finally informed Davis of the opinion of the Generals. An interview between Davis, Johnston, and Beauregard followed. The President insisted that southern independence could be gained if all the armies could be called together and battle given in the mountains of Virginia or on the other side of the Mississippi. He asked General Johnston if he did not concur in this opinion.¹³

Johnston replied that he did not agree with the President and that "it would be the greatest of human crimes to continue the war." He enumerated the Union troops in the field and informed the President they were seventeen to one against him. All of the

⁹ Prior, 359.

¹⁰ Secretary Mallory's article in *McClure's*, December, 1900.

¹¹ Rowland, 560, 566.

¹² The London papers declared he would yet win out on this line.

¹³ Johnston, 398; Davis, J., II, 679.

cabinet agreed with the General except Benjamin. Like Semprounious of old, Benjamin was still for war! President Davis then ordered Johnston to disband his army, but retain the cavalry as an escort to the presidential party. This final order of the President of the Confederacy General Johnston disobeyed. He had concluded, "that the people and the army were more important than the public functionaries."

Johnston rejoined his troops near Durham, where he met Sherman, and the two executed a wise and comprehensive settlement to heal the breach and readmit the South into the Union. This settlement had been authorized by President Lincoln in a conference with Sherman at Hampton Roads a few days before.¹⁴ When the terms of surrender were forwarded to Washington, however, Lincoln was dead and Stanton, Thad Stevens, and other fierce political warriors were indignant and outraged. Stanton wired to the press of the country that Sherman had been bought with Jeff Davis's gold.¹⁵ The settlement was rejected, and Sherman and Johnston then executed a short convention such as Grant and Lee had made. Indeed, Johnston at this time wisely took Lee as his model.

At Durham station, General Johnston bade his veterans farewell. He said to them he trusted they would make as good and loyal citizens as they had been soldiers and declared all would be well if they were faithful and true to their new duties. The surrender of General Johnston embittered the President and his wife no little. Mrs. Davis characterized it as treacherous, and intimated the General had negotiated a quick surrender so as to bring about her husband's capture. Both of them regarded Johnston as a recreant.¹⁶ In 1881, Davis still maintained that if his Generals had not surrendered, independence might have been won.¹⁷

In the gloom and darkness surrounding the fugitive, there was however, one bright, particular star—his devoted wife. Every moment from that disastrous first Sunday in April, when he fled from Richmond, to the May morning when he was captured, his thoughts had been of "dearest Winnie," and hers of "My dearest, best

¹⁴ Davis, J., II, 685.

¹⁵ Ever after Sherman spurned Stanton and refused to shake his hand. *Sherman*, II, 377.

¹⁶ Dodd, 360; Davis, J., II, 693.

¹⁷ *Ibid.*, 680.

Banny." Such bravery and good cheer as Mrs. Davis exhibited in those trying times, no woman could surpass. Every day she wrote, pouring out her soul in words of love: "Winnie [the babe born in the "White House" and called the Daughter of the Confederacy]—sweet, but so excited she will not suck; Billy, plenty of laughter; Jeff, happy beyond expression; Lil Pi, sweet and pink." Her husband was, "my heart, my hope, my dear only love, my precious old Ban."

God's blessings upon him she called down. "His shield and buckler be over you," she prayed. "Jeff behaves well in the main and is exercised about his pony, Maggie about her saddle, Ellen about the child, Washington about his \$2,000 left with his clothes, I about my precious old Ban, who I left behind me with so keen a heartache. . . . I long for a word from you," she sighed. "I must come to you." Occasionally she would grow serious and give advice. "You must not expose yourself—you must not make a stand this side the Mississippi, it is not in the people.

"I have \$2,500 and something to sell. . . . I have shared all your triumphs and while things are not bright, you did not marry me and invite me to a great Hero's home, but to a plain farmer's. . . . Be careful how you go to Augusta. Governor Brown and the people are a set of reprobates together and I wish you were safe out of their land. . . . Do not try to meet me, the Yankees are on your track, my own precious Banny, my old and only love. . . . I must see you if only for an hour, you must not leave before I see you."

Such appeals the fleeing President could not resist—his longings to be again with the woman who would die for him overcame all difficulties and dangers. Near Irwinsville, Georgia, as we have seen, he joined his wife and children and remained two or three days. On May 9, he tells her they must separate; he must make his escape. But learning that marauders are near at hand, he decides to spend one more night. Securely he fastens his horse, ready with saddle and weapons, some yards distant and lies down, fully dressed. In the gray dawn, a negro rushes into the tent exclaiming, "the Union troops are all about."¹⁸

Hurriedly the hunted man rises. His wife throws across his

¹⁸ Knight, 170.

shoulders her raglan and a woollen shawl. A few precious moments are spent in his wife's arms—fatal moments. Sadly the President rushes out to mount his horse and make his escape. He is too late—love had held him too long. General J. H. Wilson's troops have put themselves between him and his means of escape. Defiantly advancing on a Union trooper, the President orders him out of the way. The soldier levels his carbine. The ever-watchful wife throws her arms about her husband's neck. His life is saved.¹⁹

And now the sad journey begins. General Wilson conveys the fugitives to Macon, where Davis hears for the first time he is charged with Lincoln's murder and that a reward of \$100,000 is on his head. When General Wilson notifies him he is accused of Lincoln's murder, he replies that President Johnson knows the charge is false. "Why Johnson knows I prefer Lincoln as President to himself," said the unhappy man.

Rage and anger are depicted on the faces of Union troopers—the death of the beloved Lincoln has enraged them to the point of desperation. A file of troops is drawn up on each side of the road as the captives march along. Mutterings, deep and ominous, are heard, and threats to kill. Maggie, the oldest girl, tenderly places her arms around her father while the unhappy man comforts her, repeating words from the Psalms. He is certain his death is near at hand.²⁰

After a few days at Macon, the prisoners are taken to Augusta and thence by steamer to Port Royal. From Port Royal, a sea-going vessel clears for the North. Vice-President Stephens, to whom the President scarcely speaks, General Joe Wheeler, and C. C. Clay are brought aboard.

The ship anchors in the Roads at Fortress Monroe. A tug boat approaches. Men in uniform leap aboard the ship. Husband and wife are separated. The father is taken away by guards. Little Jeff, pale with horror, screams, "They have come for Father; beg them to let us go with him!" Mrs. Davis restrains her emotions as her husband whispers, "Try not to weep; they will gloat over your grief." General Nelson A. Miles, commanding the fort, declares that Davis is surely guilty of Lincoln's murder, since he announced the event before it occurred.

¹⁹ *Century*, Nov., 1883: Davis's conduct was that of a brave soldier. *Southern Historical Society Papers*, IV, 91, and V, 122.

²⁰ *Memoir*, II, 644.

Newsboys are crying their extras: "Jeff Davis captured in hoop skirts! Jeff Davis, the murderer of Lincoln!" False and scandalous articles are circulated. P. T. Barnum makes of him a laughing stock on Broadway.²¹ Davis is pictured as a drunkard, cartooned with a whiskey bottle in his mouth, with the Confederate gold in his pocket, and sitting on his own coffin.²²

On May 20, a dungeon receives the ex-President and two days later an orderly and a blacksmith enter the cell. They have come to put irons on the prisoner's ankles. The fallen Chieftain demands by what authority this indignity is inflicted. He is told General Miles gave the order. He asks to see General Miles. General Miles is not in the fort; he left as soon as he gave the order. The blacksmith approaches, manipulating the shackles. The ex-President hurls himself upon the man, dashing him half way across the room. . . .

Others guards are called in. Gasping for breath and clutching his throat, the ex-President exclaims, "Oh, God, the insult! Let me die!—shoot me!" And he bares his chest to the soldier's rifle. . . . They pinion the defenseless man's arms and legs. Four of them jump astride his head and chest. . . .²³

The untamed eagle, torn from his eyrie and in captivity! Jefferson Davis in irons! Where are now his legal disquisitions, his constitutional points? Where the sanctity of slavery, where the dreams of an empire whose cornerstone should be slavery? Dissolved, melted, as melts the snow on Ben Nevis.

Our revels now are ended. These our actors,
As I foretold you, were all spirits and
Are melted into air, into thin air:
And, like the baseless fabric of this vision,
The cloud-capp'd towers, the gorgeous palaces,
The solemn temples, the great globe itself,
Yea, all which it inhabit shall dissolve
And, like this insubstantial pageant fade and
Leave not a rack behind.

²¹ Alfriend, 634.

²² Arnold, George, "Jeff in Petticoats," *Harper's*, May 27; August 19, 1865.

²³ Craven, 37; *Memoir*, II, 655. Napoleon, under Lowe, his jailer at St. Helena, was not so roughly handled.

On the first night of his imprisonment, the dethroned and shackled Ruler started from his fitful sleep and tossed on his narrow pallet. His thoughts were of wife and children on their way to Savannah. When morning came eagerly he inquired of the fort physician if the newspapers had given an account of his shackling. "God grant," he sighed, when the doctor said they had, "that my poor wife did not see them."²⁴ Each day the kind physician would enter the cell and minister to the sick man's mind as well as his body. The doctor found his patient despondent, his pulse ninety, tongue thick and coated, extremities cold and head throbbing with chronic neuralgia.²⁵

Soon the cruel conduct of General Miles reached the public and North and South alike were indignant. The great-hearted, erratic Greeley demanded Davis's release. Mrs. Davis appealed to President Johnson. The President dispatched Secretary McCulloch to investigate. The Secretary reported and the President ordered the shackles removed. Davis, nervous and sick almost unto death, had been in shackles three days.

But Miles continued to use unnecessary precautions. All night a light burned in the prisoner's cell, torturing his inflamed eye; the tread of a sentinel disturbed his fitful sleep. General Miles explained his conduct: the door of the cell was of wood.²⁶ The explanation is not satisfactory. There was not a Confederate soldier in arms east of the Mississippi and the South was beaten to her knees.²⁷

Had it not been for General Miles and the Radicals, who soon "reconstructed" the South, Jefferson Davis would not have attained unto martyrdom. Miles's treatment of Davis was more responsible for sectional feeling than Shiloh or Gettysburg.²⁸

After the shackles were removed, the prisoner could walk about the cell, sit on his camp stool, and read the Bible and the Prayer Book. Doctor Craven concluded that religion was a comfort and a solace; it soothed his patient and improved his condition. Very

²⁴ Craven, 54.

²⁵ *Ibid.*, 41.

²⁶ He likewise insisted that Davis's treatment could not have been cruel because he lived to be eighty-one.

²⁷ Miles's explanation, *Independent*, 58, p. 413; for an effort to release Davis: *Century* (new series), 34, p. 85.

²⁸ *Publications of Mississippi Historical Society*, Cent. Series II, 253.

soon the doctor's family grew interested in the extraordinary prisoner. The little daughter would prepare tempting food and each afternoon send over a tray of tea and toast. But cruel regulations were continued; no correspondence was allowed—not even with Mrs. Davis. A light was kept burning all during the night and the tramp of a soldier was constantly heard. In August, the patient began to decline and Doctor Craven wrote the War Department he would die unless removed to better quarters. Not until October was the request granted. The sick man was then removed to Carroll Hall, within the enclosure, and given a room with a sunny exposure. Improvement followed.

Vainly, during these weary months, did Mrs. Davis appeal to President Johnson for mercy. While Johnson had been Vice-President, he insisted that Davis, "head devil of them all," should be hung with little ceremony. Now he was President, Johnson became more reasonable and wished to grant Mrs. Davis's prayer. He was powerless to do so, however, as Secretary Stanton, Judge Advocate General Joseph Holt, thorough-going Radicals, were bent on Davis's humiliation and death.

The letters Mrs. Davis was writing to Doctor Craven at this time are worthy of a Roman matron—brave, candid, and filled with womanly appreciation. In October she wrote the doctor and gave some news for the benefit of her husband. She was with friends in Augusta, having removed from Savannah.²⁹ Every one was kindness itself. Her sister had been dangerously ill but was better; the baby had whooping cough, and the children were going to Canada to be with their grandmother. "When I heard of the shackling of my husband," she wrote, "my heart stopped vibrating . . . At each meal, little Maggie repeats the grace she has composed, 'May the good Lord give Father something he can eat and keep him strong and bring him back to his little children, for Christ's sake.'"

The relations between Doctor Craven and his patient became more and more friendly, almost intimate. They would sit by the hour and converse, and the doctor, returning to his home, would make a note of what passed. His patient was a good prisoner. Since being unshackled, he requested no better treatment than he was receiving; a prisoner must expect the fare of a prisoner. The

²⁹ It will be noted Mrs. Davis did not go to Joseph Davis in Mississippi.

ex-President often spoke of the war and of his efforts to exchange prisoners. These efforts were blocked by General Grant, he declared.³⁰ The General had said to the War Department that such exchange should not take place, as it would benefit the South. It was as much a soldier's duty to die for his country in prison as on the battlefield.³¹

In regard to the treatment of the prisoners, the ex-President declared his leniency had brought down much criticism on his head, as the southern stalwarts demanded severer punishment and retaliation. Moreover, southern soldiers themselves were poorly clothed and fed and the sick without quinine or proper medicine. The Government at Washington would not agree to furnish medicine—not even to its own soldiers in Confederate prisons, lest it should be diverted and used by the Rebels. This decision of the Washington Government irritated President Davis, who declared he had done his best to relieve suffering. How could northern prisoners expect better treatment than southern soldiers were receiving? ³²

One day the ex-President spoke of the financial collapse of the South and said there was a way it might have been prevented.³³ The doctor expressed curiosity and his patient explained that there were three million bales of cotton in the South in 1861. These bales weighed four hundred pounds each, and could have been bought at ten cents per pound from the planters. The cotton could have been rushed to England before the blockade was effective; stored, and held a year or more, it would have brought seventy or eighty cents. Thus a thousand million dollars in gold would have been provided, sufficient for all the needs of the Confederacy during the war. "The failure to adopt this plan was due to Secretary Memminger," said Davis, "but I share the responsibility, and it is my chief regret."

In December, Doctor Craven was removed from his position. He had become too intimate with the prisoner, and the incorrigible Stanton and Holt got rid of him. Craven had allowed Davis to

³⁰ Davis, J., II, 598.

³¹ *Report of Committee*, 1st Session, Thirty-ninth Congress, 1313.

³² The statement that southern prisons were as well conducted as northern, is borne out by the official records. There were 30,152 deaths in northern prisons and 30,156 in southern.

³³ Craven, 175.

get a new overcoat for winter—a grave offense. The War Department began an investigation and Captain and Provost Marshal Hitchcock demanded by what authority Jefferson Davis procured the overcoat—had any orders been given to that effect? Doctor Craven replied that he had acted without orders, “but found as cold weather approached, the prisoner needed thick garments, he being in feeble health, and the winds of the coast cold and piercing.”

Captain Hitchcock directed that Doctor Craven give no other orders for Jefferson Davis and that he cease all conversation except on strictly professional matters. The Captain followed this order with an imperative letter, in which he demanded what was the cost of the overcoat. The doctor replied the overcoat had cost \$125.00. The Captain then demanded to know if the overcoat had been paid for. The doctor replied that he did not know whether the overcoat had been paid for or not; he could only say he had not paid for it.

At this time, Congress had met, the attempt to punish and reconstruct the South had begun, and the imprisonment and punishment of Jefferson Davis had almost become a political issue. The death of Lincoln must be avenged, and Davis must go the way of Mrs. Mary Surratt—he must be tried and hanged by a court martial.³⁴ In Washington, suspicion and rancor ruled—the Radicals, Thad Stevens, Charles Sumner, Wade, and Colfax were determined to block Lincoln’s humane policy of admitting southern representation. Lincoln’s plan, as will be remembered, was to invite the southern states back into the Union as soon as the Thirteenth Amendment, setting free the slaves, was adopted. In December, 1865, this amendment was adopted by the vote of the southern states, but the South was refused admittance by the Radicals. The era of southern reconstruction was on and by May following, the Radical program was well under way.

At that time, likewise, things were going badly with the illustrious prisoner at Fortress Monroe. Doctor Craven had been removed; lack of exercise, close confinement, sorrow, and grief were sapping Davis’s life. He was overcome with nervousness and carbuncles broke out on his legs; his death was expected. Presently

³⁴ Thad Stevens opposed this course, declaring Davis a gentleman and innocent.

his condition became known, and Greeley, Raymond, Shea, and other humane abolitionists demanded better treatment of him. Mrs. Davis hastened to Washington and appealed to President Johnson, now as much an object of hate to the Radicals as Davis himself. The President said to Mrs. Davis that he was in danger of impeachment and was therefore powerless.³⁵ He did, however, order that she be permitted to visit her husband. In a few days man and wife were together again after a year's separation, and the prisoner soon recovered from his extreme debility. Friends were allowed to visit him. He was also permitted to stroll around the prison grounds and to wander through the building, which had been under his jurisdiction while Secretary of War.

During these lingering days, Davis's enemies had been busy looking up evidence. Wirtz, keeper of Andersonville Prison, had been offered a pardon to turn state's evidence.³⁶ A congressional committee had run down a hundred wild rumors, examined scores of perjured witnesses, and found nothing to fix crime or wrongdoing on the man. The charge of murdering Lincoln was therefore abandoned and Davis was indicted at Richmond for treason. Meanwhile, Charles O'Connor, the great New York advocate, and other lawyers had undertaken the President's defense. Finally, in May, 1867, the prisoner sued out a writ to be allowed bail and at the May term the writ and the indictment were both taken up.

When it became known that ex-President Davis was in Richmond and on trial for his life, every loyal Southerner who could attend was present; among others, George Davis, the last Attorney General of the Confederacy. The southern people looked upon it as a trial of themselves and not of President Davis alone. If Davis was guilty of treason, so were they, as one and all had fought with might and main for the Lost Cause. The ex-President was quartered at the Spotswood Hotel. Vast throngs followed him. Pale, haggard, and emaciated, the dethroned Ruler entered the court room—but a few years before headquarters of mighty armies at his command.

The Government was not ready for trial. The prisoner's attorneys called attention to the long delay and demanded an immediate trial or else that the prisoner be allowed bail. Judge Underwood

³⁵ *Southern Historical Society Papers*, 37-252.

³⁶ Rowland, VII, 87.

granted the writ and fixed the bond at \$100,000. Horace Greeley, Gerit Smith, stalwart abolitionists both, and Cornelius Vanderbilt, affixed their names to the bail bond and Jefferson Davis went forth among his fellows. Shouts of rejoicing filled the air, tears of sorrow and gladness poured down many a cheek. On their bended knees, Doctor Minnegerode, with Davis and Mrs. Davis, gave thanks to God. The suffering and much-persecuted man with his wife then joined the children at Montreal, Canada.

And in December, 1868, after many delays, the case against the President is called for final disposition. Chief Justice Chase now sits with Judge Underwood. O'Connor enters a motion that a verdict of not guilty be directed. He claims that his client has already been punished for the crime of treason as charged in the bill of indictment. He bases his argument upon the fact that in July previous, the Fourteenth Amendment had been adopted. In that Amendment, Jefferson Davis, as an officer of the Confederacy, was adjudged a traitor and punished; that is, he was deprived of citizenship. He could not be tried again for the same offense.

The court takes a moment to consider the motion. The Chief Justice decides with the prisoner.³⁷ Judge Underwood dissents. The question is certified to the Supreme Court for its opinion. Before it is called up, the Government admits it has no case and takes a non-suit. Thus ends the famous trial of United States against Jefferson Davis. The hysteria that follows all great wars had abated and President Davis was set free.³⁸

³⁷ Johnson Circuit Court Decisions, 1876, p. 122.

³⁸ Blackford, C. M., *The Trial and Trials of Jefferson Davis*, Lynchburg, 1901.

CHAPTER XX

RIVET IN GRANDFATHER'S NECK

In the South, when one is the author of his own misfortunes, he is said to be bit by his own dog. That Jefferson Davis was his own undoing, was the opinion of those best able to judge. Mrs. Davis trembled when she heard her husband had been chosen President of the Confederacy. She did not think he was suited to the place; his talents were along military lines, rather than civil. Davis himself admitted that when aroused he often ran into personalities, saying and doing things he regretted. In his last days in the Senate, his friends observed a growing petulance and intolerance and Major Walthall, his private secretary, was satisfied "that under the influence of strong passion, mistaken judgment or malign counsels, he was sometimes led unconsciously to do great wrong, even to a friend."¹

The weakness of Jefferson Davis, therefore, was his inability to obscure himself—to sink self in the cause. A sense of inerrancy and of personal dignity, he placed above success; even while the battle was raging and disaster impended, he would write bitter words to associates and provoke endless controversy. This gift of submerging one's self in a great cause is possessed only by the truly great. Lincoln had the quality, probably beyond all Americans except Washington and Lee.² Grant, likewise, knew how to put self in the background. This gift Jefferson Davis did not possess. High-strung and nervous, his life was a series of controversies.³ Nor was he rich in that saving common sense which Tennyson dis-

¹ Walthall, 47.

² Gordon, 294.

³ In the South with Foote, R. J. Walker, Toombs, Scott, Rhett, Joseph E. Johnston, Beauregard, Pollard, Stephens, Yancey, D. H. Hill, G. W. Smith, Andrew Johnson, Vance, Brown, and Bishop Galloway; Rhett, Jr., concluded Davis was "conceited, wrong-headed, wranglesome, obstinate, a traitor." Eckenrode, 169, 187, 343. In the North with Bissell, Fessenden, Wilson, Chandler, and others.

covered in Wellington. He had also a dangerous bent towards bureaucracy, and there was no safety-valve to his intense nature.

Had Jefferson Davis been a ruthless leader, his self-confidence and headstrong disposition would have been of service. But he was not a despot—certainly not at first—he prided himself on obedience to the Constitution. Moreover, he was of a religious turn of mind, not the sustaining, compelling religion of Stonewall Jackson and the Puritans, but the complacent refining religion of the Church of England. He called on God, but not as Jackson did in the very presence of the Most High.⁴ He was likewise uxurious, devoted to his wife, engrossed in family matters, and keenly alive to the suffering, sickness, and death of his children.

Torn by these internal conflicts, Jefferson Davis became a neurasthenic and a chronic dyspeptic.⁵ Despite bodily infirmity and an unfortunate disposition, however, he guided the Confederacy longer, probably much longer, than any one else could have done. Why then did the Confederacy fail? The answer to this question must be found in the Confederacy itself.

The Confederate States were the product of the brain of Calhoun and Davis. Leaders of the Rhett and Yancey type, explosive and mercurial, could not have created them. Undemonstrative men only, profound and dignified men, and those professing a love for the Union, could have disrupted the Union. At heart the southern people loved the Old Flag, and in order to change that love into hatred, a flank attack was necessary. Southerners must be enraged and convinced they were being bullied by the North. This the persuasive Davis and the secessionists of the South, aided by the abolitionists of the North, finally accomplished.

In 1832, Calhoun in his attempt to withdraw South Carolina, made a failure; thirty years later, Davis made of secession a success. But in order to do this, he was compelled to inculcate the doctrine of state rights—that any state, at any time and without any excuse, might withdraw and set up for itself. Under this doctrine, South Carolina could have withdrawn from the Union and formed an alliance with England, defying the American Govern-

⁴ Minnegerode, Charles, *Religious Life*.

⁵ Mrs. Davis, in nearly every chapter of her *Memoir*, dwells on her husband's sickness.

officers of lower rank must be elected by the troops. Democracy and the dogma of state rights demanded this. The result was that the strictest and best qualified drill masters were discharged by the votes of disgruntled men. This practice, General Lee declared, had a most demoralizing and disintegrating effect.¹⁰ Yet Congress was compelled to concede the right of electing inferior officers, in order to pass a conscription act.

The theory President Davis had championed for a quarter of a century was that the central government was a mere Confederacy, a league between sovereign states. Hence the Davis Government could not command; it could only conciliate. This fact was fatal to unity. Governor Brown, on more than one occasion, seized quantities of ammunition, purchased by the Confederacy, and appropriated them to the uses of Georgia.

In other respects the doctrine of state rights affected the relation of the states to the Davis Government. Laws which were not popular in a state became nugatory. The suspension of the writ of habeas corpus was avoided in practically every state. Indeed, the President was loath to suspend the writ because of the opposition of Toombs, Stephens, Vance, Brown, and Yancey. When he exercised the right and suspended the writ, petitioners by the thousands were discharged by state courts.¹¹

Again, the action of the states in withholding arms, munitions, clothing, and other supplies was most hurtful. In 1861, the Confederacy had only 190,000 small arms and 8,000 cannon; the states had 350,000 small arms. Had the states surrendered their arms to the Government, southern armies would have been swollen from 400,000 troops to 600,000. In the beginning of the war, the lack of arms caused 200,000 fighting volunteers to be sent back to their homes. In 1862 and 1863, when Lee moved North, if he had had an army twice as large as was furnished him, would he not have captured Washington, and probably ended the war?

Finally, it must be said that each state conducted its own blockade-running business, independently, and when the Richmond Government undertook to impress supplies, opposition was so strong, the Government had to purchase in the open market. The case of North Carolina, which furnished more troops to the Confederacy than its voting population, illustrates the discord between the

¹⁰ Maurice, 34.

¹¹ Schwab, 186.

states and the Davis Government. While the Confederate soldiers from other states were freezing and dying from exposure, North Carolina had large stores of clothing and blankets. At the time of Lee's surrender, "Governor Vance had accumulated and stored away 92,000 uniforms, great stores of leather and blankets, and his troops in the field were all comfortably clad."¹²

Despite the destructive dogma of state rights, however, it is probable that the Confederacy would have succeeded if it could have got foreign recognition. Why, then, it may be asked, did it fail to receive recognition? Both England and France favored the Confederacy and the right of a state to withdraw from the Union was at least debatable. The Kentucky and Virginia resolutions of 1787, drawn by Jefferson and Madison, came very near recognizing the right. The Quinceys, Adamses, and Cabots asserted it; a Cabot presided at the Hartford Convention of 1815.¹³ At all times, the out-and-out abolitionists advocated secession. In 1858, Wendell Phillips denounced the slave-holding Union and set about organizing a secession party in the North.

At one time or another, every section of the Union, which had been legislated against by Congress, undertook to annul the obnoxious statutes and defied the Constitution itself. Indeed, it has been asserted that Jefferson Davis as a cadet at the West Point Military Academy was taught from Rawles's *View of the Constitution* that secession was a constitutional right.¹⁴ At best, the question of secession was one of policy.

Why, then, we may again inquire, should the Confederacy not have received foreign recognition? The answer is, slavery stood in the way and prevented. "We do not like slavery," wrote Prime Minister Palmerston to the Davis Government, July 30, 1861, "but we want your cotton." There can be little doubt that but for slavery the Confederacy would have been recognized and but for state rights and slavery, Davis's Government would have taken its place among the nations of the earth.¹⁵ And yet this must also be said: but for state rights and slavery, there would have been no

¹² *Southern Historical Society Papers*, XIV, 513; Owsley, 126.

¹³ MacDonald, 294.

¹⁴ Ames, 320; Scherer, 251; Gordon, 17.

¹⁵ Scherer, 281.

Davis Government. Thus does the argument go round in a circle—as arguments and other things often do.

A man may fish with the worm that hath eat of a king and eat of the fish that hath fed on that worm— Thus may a king go a progress, through the guts of a beggar.

Undoubtedly the Confederacy was pierced by the very arrows its President had winged. And the pity of it is the desolation that followed the four years of fighting. War at best is bad, but humiliation and the overthrow of a proud civilization—these are intolerable. The liberation of the blacks and the attempt, at the point of the bayonet, to put them in the place of their masters—this was wormwood and gall.

As soon after the surrender as Congress could meet, the Radicals took steps to prevent the return of the South to the Union. Not until the whites were disfranchised and the blacks enfranchised was this to be permitted. "Wickedly was slavery defended, and wickedly was it abolished," exclaimed Lord Acton.¹⁶

War hysteria gripped the North and a mistaken negro philanthropy. But this must be said in justification of northern anger, millions of northern women were lamenting their dead and the National Government groaning under billions of war debts. Sorrow and distress had run into anger, and anger is brief madness.

In December, 1865, the slaves were set free; in April following they were accorded equal civil rights with the whites, and jurisdiction in such cases given to United States courts. Next year, negroes were given the right to vote in the District and the great Reconstruction Act was passed. The South now became a military satrapy. Control of the army was taken from President Johnson because of his generosity to the South; he was deprived of the right to appoint his own cabinet and was bound hand and foot. In March, 1868, he was impeached; in the following July, the Fourteenth Amendment was adopted guaranteeing certain constitutional rights to negroes; and in March, 1870, the Fifteenth Amendment, granting negroes suffrage was likewise adopted. In May the Force Bill, giving effect to the Fifteenth Amendment, was passed, and April 20, 1871, a more stringent bill to enforce the Fourteenth

¹⁶ Acton, 135.

Amendment. Under these harsh measures, elections in the South were supervised by Federal bayonets. This condition existed until March, 1877.

Thus was a proud civilization overthrown—a land which had given to the Nation Washington, Jefferson, Madison, Marshall, Henry, Lee, and Stonewall Jackson was humbled, bankrupt, and degraded. To the devastation of war had been added the horrors of Reconstruction. When the war ended, the South had been stripped naked. There was not a bank, nor a fence, nor a ditch, and scarce a nickel of good money. Colleges and schools had disbanded, public buildings were burned or in decay, and railroads mere streaks of rust. To the destitution of the South were now added seven years of Reconstruction. The Four Horses of the Apocalypse trampled upon the desolate land.¹⁷

These scenes of desolation emphasize the stakes for which Jefferson Davis had gambled. The war he had helped to precipitate was no ordinary war. It was extraordinary, unusual, appalling, paralyzing—in the event of defeat. Defeat meant all I have pictured and more, and yet the intrepid Davis took chances and with eyes open. He did not stumble blindfolded into the conflict. In the Southern Resolutions of 1849, he had depicted the dangers of liberating slaves.¹⁸ In scores of addresses and pamphlets, he had set forth the horrors of abolition: race conflicts, bloodshed, a civilization in ruins. With this argument he had dethroned the reason and inflamed the passions of plain southern whites, nerving them to fight the battles of slavery.

In the Senate, Jefferson Davis had sat while Webster, Clay, Corwin, Crittenden, Bell, Badger, and his own R. J. Walker, had depicted the evils of slavery and pleaded for its curtailment and gradual eradication. These arguments he spurned; they were an affront to the South. Knowing the hazard, the implacable President ordered Beauregard to fire on the flag floating over Sumter. Truly Jefferson Davis had played for high stakes.

War is always a gamble. In the wake of a victorious army stalk plague, pestilence, famine, and death. But in the war just ended, the risk was many-fold greater than ordinary. Four million slaves

¹⁷ No one but a Southerner can understand the poverty, the desolation of the South after the war.

¹⁸ *Memoir*, I, 455.

worth three billion dollars were at stake. If freed, they would cease to be property and become a menace. As citizens, they would constitute a majority in several of the southern states and be the deciding factor in the remainder. United with their radical liberators, they would attract numberless Carpetbaggers, more destructive than the plagues of Egypt. Corruption would undoubtedly follow and billions of fraudulent bonds be issued. Unused to freedom, the negro would become a bad citizen. These dangers, President Davis realized. Fully he understood that if he failed, generation after generation would taste the gall of defeat.¹⁹

Other difficulties in the way of southern success were well known to the Confederate President. He labored under no delusion, as many Southerners did, that Yankees were cowards. At West Point, he had tested their metal and found it as keen as his own. At Monterey and Buena Vista, he had seen Indiana and Illinois regiments as far to the front as his own gallant Mississippi Rifles. Well did he know that northern boys equally with southern had scaled the heights of Cerro Gordo and Chapultapec. His intimates were Yankees—General Franklin Pierce, General George W. Jones, General Caleb Cushing, of Mexican fame. In Mississippi, there were no braver men than his friends Prentiss and Quitman, both Yankees. As Secretary of War, moreover, he knew the resources of the North and the lack of resources of the South. And yet he directed events so as to precipitate the unequal contest.

Was Jefferson Davis fitted for his job? Undoubtedly he was—no one better. His was an impossible task, the task of Sisyphus, a task for no one but himself. Before the foundations of the earth were laid, the finger of fate had pointed to Jefferson Davis as the leader of the Lost Cause. None other could have filled that place. An implacable, unchangeable, archaic, self-willed man was wanted and such a man was found. Rhett, Yancey, Cobb, Toombs, Hunter—these were of small caliber; they could not have stood up against the world for four devastating years and taken punishment.

Long and bravely did Jefferson Davis contend, unwilling "to eat the leek or bend the neck." Lee surrendered, so did Johnston and Beauregard, E. Kirby-Smith, and Dick Taylor. Jefferson Davis never surrendered. Fiercely did he fight and magnificently did he lose. When Lee wrote in 1863 that a compromise was necessary,

¹⁹ Oberholtzer, II, 333; Bowers, 449.

a compromise, but for Davis, would have taken place. In October, 1864, a less resolute personage would have accepted Lincoln's tentative offer of 400,000,000 dollars and let the slaves go. In February, 1865, at Hampton Roads, a good bargain might have been struck. But Davis would not compromise; had he done so, he would not have been Davis—nor the man for his job.²⁰

To endeavor to pick flaws in Davis's administration is mere carping. Constituted as the Confederacy was, with the handicaps of state rights and slavery, President Davis managed well. He had created a self-destroying agency, which he must operate so as to win. And this was to be done, not by compromise, but "by whipping the spaniels until they cried 'enough.'" ²¹ In this resolve he was fixed. He never ran up the white flag. Upon the quarter-deck he stood till sails were blown away, masts gone, every sailor overboard, and the Confederacy beneath the waves forever.²²

Once General Lee was asked what kind of President Davis had made. "I know of no man who could have made a better," Lee replied. President Davis made mistakes which in our day are easily discernible, but were not so at the time. Thus no one could have told which was the better policy, to withhold cotton and thus force foreign recognition or to supply English mills with cotton and create a gold reserve. Again, the President imagined he was a real soldier. At the battle of Bull Run, he went on the field and advised with the generals. At Seven Pines or Fair Oaks, he was rather unceremoniously invited by Lee to take his departure.²³

At that battle he likewise insisted on an interview with General Johnston, but the interview did not take place. The General, hearing of the President's coming, hastened off to the firing line. He preferred a Yankee bullet to the company of a man he so much disliked. Once the President naïvely confided to Mrs. Davis that if the worst came to the worst, he would take the right wing and General Lee the left and crush the enemy. "Davis's interfering won us several victories!" said Grant.²⁴

At the beginning of his term, as I have said, the President meddled somewhat with his generals, but not more so than Lincoln did with the Union commanders. In quick succession, the Washing-

²⁰ Bassett, 588.

²¹ Rowland, VI, 443.

²² Pollard, 446.

²³ Eckenrode, I.

²⁴ Grant, II, 87.

ton Government removed McDowell, McClellan, Pope, Burnside, Hooker, and Meade. Davis's troubles were not more numerous than these. In 1861, Davis ordered Stonewall Jackson to return with his troops to Winchester. This interference the stern soldier resented and sent in his resignation, determined to teach the civil department a lesson. And the lesson was taught. Never again was Jackson interfered with by the Richmond Government.

Davis held to Pemberton and Bragg and Northrop too long, and he removed General Johnston. But Johnston, a great General, was not a successful one—to his credit he has only one or two victories, Bull Run and Kennesaw Mountain. Johnston's policy of delay was unsatisfactory to the President, who preferred fighters to retreaters. It is said that, but for Johnston's removal, Sherman would have been defeated at Atlanta. This does not seem probable. The morale of the South was broken, a fact well known to Sherman and to his troops. After Gettysburg, Vicksburg, and after Sheridan ran Early out of the Valley, the war was ended. Governor Vance and other leaders then urged peace and a final surrender: every life thereafter sacrificed was murder, said Vance.

But even after these disasters, President Davis would not yield. Pride and self-will urged him on, and mortification as well. He could not abide ridicule. Much of his hauteur and coldness, as his wife declared, was due to mortification. Whatever his motive power, it cannot be denied that he has rarely been surpassed in heroism and endurance. The mistakes of the President, as we have seen, were inherent in the Confederacy itself. And of the Confederacy, with its dogma of state rights and its cornerstone of slavery, must not this be said: it was ushered into the world still-born? This incongruous and paradoxical affair, who could have better administered than Jefferson Davis?

Was Davis a traitor? The question is quite a simple one. Secessionist he was, but not traitor. Can treason be charged against ten million people occupying territory larger than France, England, Germany, and Italy combined. Jefferson Davis's "vice" was not treason: it was a failure to interpret progress and civilization. It was a false notion of freedom—an alliance with mediævalism and Greek philosophy. A literalist, Jefferson Davis did not know and did not seem to care to know that the letter killeth, the

spirit giveth life. Had he entered into the spirit of the law and disregarded its letter, he would have moved along broader lines and turned his great talents to the beautification and enrichment of the South.²⁵ But there again it must be said, had he been endowed with this knowledge, he would not have been the leader of the Confederacy.

Pride and self-will were Jefferson Davis's destruction. "I must, I must, I must," hurled him upon the rocks. Change or doubt, he could not. As well expect Arcturus to change its nightly course, or the ocean-tide cease its restless flow. Yet how wonderful in their respective spheres are stars, ocean, and a resolute man!

²⁵ Fish, 289.

CHAPTER XXI

UNCROWNED KING

Of all men, Jefferson Davis was now the most miserable. Two years in prison had made him sensitive to the slightest noise; ordinary conversation or laughter maddened him. He was thin and emaciated—"more like a skeleton than a human being." An exile from native land, his home in ruins, his estate dissipated, his prospects blighted. His occupation was gone, he could no longer hold office or draw salaries, and he had neither trade nor profession. One thing only remained—a consciousness of right and a will of iron.

While he had been in prison, Paul Bagley, a foreign missionary temporarily in Baltimore, had become interested in him. Bagley conferred with Davis and urged him to apply for a pardon, "imploping him in the name of the Lord Jesus Christ not to stand out against the United States Government." Bagley had just got a pardon for Governor Vance and informed Davis of the fact. Davis hesitated to make application because the proclamation offering a hundred thousand dollars for his arrest was unrevoked. He finally assented to an interview between Bagley and the President. At that time President Johnson was no less hostile to the Radicals than Davis himself.¹

Bagley wrote President Johnson, entreating him to grant the pardon. He then called on the President and in the interview it was suggested that amnesty be granted instead of pardon. A pardon would have put an end to the Government's case, but amnesty would not. The President put aside Bagley's application for the moment, partly because of the pending case against Davis, but also because Bagley had been unable to get endorsements upon his petition from any influential Northerners.

On July 4, 1868, President Johnson, against whom impeachment proceedings had just been defeated, granted amnesty to a large num-

¹ Rowland, VII, 97; 98; 127.

ber, excepting only those under indictment and a few others. On December 25, 1868, Christmas Day, he extended universal clemency without exception. This amnesty proclamation, as we have seen, came too late for Jefferson Davis. In July, 1868, the Fourteenth Amendment had been adopted. It deprived the President of the power to pardon the higher officers of the Confederacy, and it likewise deprived those officials of the right to hold office either under the State or National Government. They could vote but could not hold office. Thereby, Jefferson Davis was forever precluded from becoming Governor of Mississippi, or United States Senator, except with the approval of Congress.

Now a wreck, and cast up on the shores of time, the ex-President and his family would have been in still more direful extremities but for the assistance of friends. In June, 1865, Senator Mason and C. J. McRae had raised and placed in foreign banks \$52,500,² and had 500 bales of cotton for the Davis family. In January, 1867, the brave and loyal women of Mississippi put in bank to the credit of their fallen chief the sum of four thousand dollars, and the legislature of Mississippi authorized the expenditure of twenty thousand more in his behalf. So plentifully had money flowed to Davis's relief, O'Connor, his chief counsel, called a halt. He feared the Radicals of the North would resent such concerted action in his client's behalf.

While in Canada, Davis undertook to write his memoirs. One day, he requested his wife to get down the old letters, and the files and records of his administration. The first paper to meet his eye was an order addressed to General Lee, dated April 9, 1865. It was a plan for further resistance. Memories of departed days overcame the ex-President; grief, sorrow, and mortification overwhelmed him. The papers were laid aside for another day.

The Canadian winter proving too severe for the emaciated man, his physician directed him to go to a warmer climate. The family, therefore, set sail for Havana, and after a short stay, crossed over to New Orleans. There they were received with cordiality and made to feel at home again. But the ruin of Mississippi and particularly the devastation of Brierfield and Hurricane, which Davis visited for only a day, overcame him and he was forced to leave the South and return to Canada. From Canada he set sail with

² Rowland, III, 32.

wife and children for Liverpool. Wherever the fated man went, however, misfortune seems to have dogged his heels. Davis Bend had been set apart as a negro colony, and Brierfield, "the nest in which the rebellion was hatched," had thus become the Mecca of freedom.³

One day, as he was coming down the steps with little Winnie in his arms, he fell sprawling, breaking three ribs. The child mercifully escaped injury. About this time, Mrs. Howell, the ex-President's mother-in-law, died, and he was indeed bereft. She had been to him a second mother and he had always called her by the affectionate title of Ma. A little later, Willie, his youngest son, was attacked with diphtheria and also passed away. The two brothers of Mrs. Davis, very close to her husband, addressing him as Brother Jefferson, likewise died; and hardly had he set about his new life, when Jefferson, the only surviving son, succumbed to yellow fever at Memphis. Wife and two daughters only remained.

While these untoward events were taking place, the ex-President was striving to get on his feet again. In the latter part of the year 1869, while he was in England, he had received an offer of the presidency of an insurance company located at Memphis. He crossed the Atlantic, leaving wife and children in England, and visited Memphis. After some investigation, he accepted the position, and in a few days returned to Europe for his family. The eldest daughter, Margaret, was left with a governess in Liverpool, where one of Mrs. Davis's sisters resided. On the eve of leaving England, Davis was notified of the death of his brother Joseph—once a foster-father, afterwards totally estranged, lately somewhat reconciled, as we have seen, but never the intimate friend of old Hurricane days.

In the new enterprise, the ex-President's available funds, amounting to \$15,000, were invested, and he set about the task of directing the Carolina Insurance Company. Three years he labored, endeavoring to make it a success. The usual result, when inexperience undertakes to manage technical affairs, happened. The company failed and with it sank the Davis fortune, together with the money of confiding friends.

And now another unfortunate incident occurred. Jefferson Davis and his wife turned against the children of Joseph Davis and

³ Garner, 253.

entered suit to recover Brierfield. The story is a sad one. In former chapters I have often referred to this family trouble and have mentioned the estrangement between the two brothers, growing out of the advice of Joseph that Jefferson by will should deprive his wife of a substantial interest in his estate. It will likewise be remembered that back in Mexican War times, Joseph, who owned Brierfield, had promised to make Jefferson a deed. This, however, he never did. Now in 1865, Joseph executed one will, giving Brierfield, valued at \$60,000, to Jefferson; but in March, 1869, he destroyed this will and executed another.

In the second will, Joseph failed to leave Brierfield to Jefferson, but devised to his children in lieu of Brierfield, \$80,000 of notes, secured by a mortgage on both Hurricane and Brierfield. Between the date of the first will and the second, Joseph had sold the two plantations, with Jefferson's approval, to the Montgomery negroes, formerly Joseph's slaves. The \$80,000 of notes thus devised to Jefferson's children was a part of the purchase money due by the negroes on Hurricane and Brierfield. These notes Joseph had given to Jefferson's children because it was feared if Jefferson himself received any portion of the estate, it might be confiscated by the United States.

By Joseph's will, Jefferson and two others were named as executors. All three of them qualified and acted. They proved the will, collected the assets, paid the debts, and distributed the gifts. The Jefferson Davis children got their share, under the will; Jefferson received his commissions and signed and verified all of the accounts. In addition, he was paid \$10,000 on a disputed claim against the estate. The claim was compromised to get a settlement without litigation, and it was to be paid from the "overplus" out of the Montgomery notes.

The Montgomery notes aggregated \$300,000 and the gifts to the children of Joseph and Jefferson amounted to \$230,000, leaving an "overplus" of \$70,000. The gifts did not cover the entire amount because it was feared the negroes would make default and the whole amount would not be paid, but must be scaled. Another circumstance must be stated. The negroes could not pay for the land and the executors extended the time and took a mortgage on other lands of theirs further to secure the debt.

Now, when Joseph was making his will, he said to his grand-

daughter, who was acting as scribe, "Give Jefferson's four children \$15,000 each and this will stand in the place of Brierfield." The amanuensis remarked she thought her grandfather had better make it \$20,000 each as the negroes were not going to pay out and there must be a scale of the debt. Joseph assented and \$80,000 was bequeathed to Jefferson's children in lieu of Brierfield, as stated above.

Jefferson's four children received their notes, Jefferson received his commissions and also his compromise debt of \$10,000. The executors verified their final account, filed the same, were discharged, the estate was settled, the whole matter ended, and so far nothing had been heard of Jefferson's claim to be the owner of Brierfield, which had been sold to the negroes.

It was then Jefferson sued his brother Joseph's children and the Montgomery negroes. He claimed to be the sole owner and entitled to the possession of Brierfield, and he asserted that Joseph was his agent in selling Brierfield; that the Montgomery negroes knew of his ownership and bought subject to his right. He did not deny that his children got the \$80,000 of notes, on which they had been paid their share, but insisted that Brierfield was nevertheless his. He offered no explanation of his failure to assert his right to Brierfield, or of not mentioning his claim when putting in his other demand for \$10,000, to be paid out of the surplus from the sale of both Hurricane and Brierfield. He asserted that his course—acting as executor and settling the estate under the will—was entirely consistent with his course in claiming Brierfield, and that he was not taking both under the will and against the will.

When a prisoner at Fortress Monroe, Jefferson Davis had received a letter from Joseph advising of the proposed sale to the negroes. Jefferson approved, but cautioned that good security be taken. At the trial, Mrs. Davis was her husband's main witness. She declared that Joseph Davis had wronged her. In 1846, he had circulated the report that her husband was a dependent relying on Joseph's bounty, and had caused her husband to make a will cutting her out of Brierfield. She testified she had said to him, in 1861, "I owe you nothing and am perfectly aware of your hostility to me."⁴

In 1859, when her son was born, her husband had named him

⁴ *Davis vs. Bowmar*, 55 Miss. 704.

Joseph Emory. This was his doings and not hers and the two brothers were brought somewhat together again. Mrs. Davis further testified that Lieutenant Jefferson Davis would not have quit the army, had not Joseph promised to give Brierfield to him. Other witnesses testified for Davis—Payne and Harrison, his commission merchants, among the number. Sundry negroes were likewise called for the complainant. These graceless "sons of Ham" told what they knew about the affair.

The evidence established beyond question that Brierfield belonged to Jefferson Davis, but the great weight of the testimony was that the \$80,000 of notes were intended to take the place of Brierfield and would not have been given by Joseph to Jefferson's children but for this fact. A bitter family controversy it was, covering nearly two hundred pages of the Mississippi reports.

Chancellor Hill took the papers and decided that Jefferson Davis had no case—that his claim was inequitable. The bill was dismissed.⁵ Davis appealed to the Supreme Court, and while the appeal was pending, wrote a confidential letter to his friend, Major Walthall, and said, "I may yet get something, but confidentially I will tell you that those who should have been first to regard my interest are as eager to appropriate the wreck as the Yankees were to make it."⁶

After much deliberation, the Supreme Court delivered its opinion. Two of the Justices disagreed with Chancellor Hill and held that Jefferson Davis's bill was a good one and not inequitable, and that he was entitled to Brierfield and his children entitled to the \$80,000 of notes at the same time. The children of Joseph filed a petition to rehear. Again the case was argued, and the complainant, Davis, wrote Major Walthall he felt it his duty to go to Jackson at the reargument. In 1878, a final order was entered, the case having been heard and reheard for more than four years. In the final decree, the Chief Justice concurred with the Chancellor and held against the complainant; but the other two Justices carried the decision and Brierfield passed to Jefferson Davis.

Brierfield was rightfully Jefferson Davis's, he had claimed it and

⁵ J. F. H. Claiborne, the Mississippi historian, calls Hill "impartial and enlightened."

⁶ Rowland, VII, 422: "Reference is here made to the efforts of Joseph Davis's children to secure the ownership of Brierfield!"

occupied it for twenty years, but the notes for \$80,000 did not belong to his children. He and his children ought not to have been allowed to take *under the will and against the will*—they should not have approbated and reprobated at the same time. The irrepressible Henry S. Foote, describing this lawsuit, said it was almost as unkind as Jugurtha's assault upon the children of Micipsa.⁷

During the pendency of the family lawsuit, the ex-President undertook to organize another enterprise of great moment. He proposed to incorporate a line of steamships to run from New Orleans to South America—a business requiring a knowledge of trade conditions, experience in matters of transportation and technicalities generally. In the furtherance of his designs, he visited England and raised considerable capital. His family now moved from Memphis to New Orleans, which became headquarters of the Mississippi Valley Society, the steamship company just incorporated. In a short time disaster overtook the new enterprise, and it went the way of the Carolina Insurance Company. "Northern capital and New England enterprise were against him!"⁸

The year 1877 drew to a close and witnessed the failure of Jefferson Davis's last commercial undertaking. But it must not be concluded that disaster, business failure, humiliation, or bodily infirmity had caused Jefferson Davis to lower his flag or his family to fall from their high place. Time and again they visited Canada and Europe. In England they were royally entertained by Slidell, Benjamin, and A. Dudley Mann. In Scotland, James Smith, a friend to the Confederacy, who had donated to it a fine battery, welcomed them to his palatial mansion. Parliament itself extended every courtesy to the ex-President. In Paris, the Davis family was invited to the Imperial Court, which invitation the ex-President turned down, and to an audience with the Holy Father.

Nor were the Davis children neglected. The eldest daughter was educated in the Catholic convent at Savannah and in England and Berlin. After three or four years abroad, Winnie, the youngest, was graduated at Karlsruhe in Germany. The sons attended select schools in Maryland and elsewhere.

While the ex-President and his wife were thus gathering together the threads of a broken life, the South was engaged in a

⁷ Foote, *Bench and Bar of West*, 109.

⁸ Dodd, 374; Gordon, 284.

similar task, though a thousand-fold more difficult. From 1866 to 1876, the southern states were an armed camp. Business waited on self-defense. The Anglo-Saxon civilization and the African, backed by bayonets, were contending for the mastery.⁹ The only question was, should the South become a second Mexico, a hybrid nation, or remain Caucasian. In Memphis, New Orleans, and Vicksburg race riots had occurred and the streets had run with blood. Before the whites could regain the upper hand, hundreds of blacks had been slain, and thousands had been quietly put out of the way.

South Carolina was the prostrate state, North as well as South sympathizing with her pitiable plight. Members of her legislature, flat-nosed and offensive, were ignorant and corrupt. It required no less than 160 ivory spittoons, at a cost of \$8 each, to accommodate the 120 expectorating members. The Speaker of the House was black, the clerk was black, the pages black, and the chaplain coal black.¹⁰ On the corners of a city's streets an aged scion of an old family, once wealthy, now destitute, might be seen vending peanuts and candies to his former slaves for a bare subsistence. Hordes of bad negroes were terrifying the land and frequent rapes occurred, followed by lynchings and other violence. There were often a hundred lynchings a year.

In President Davis's own state, the wreckage was complete—the bottom rail on top. A negro was Secretary of State, another negro Speaker of the House, and several were in Congress. Clerks of the court, registers of deeds, county commissioners, and justices of the peace were negroes. Negroes occupied Hurricane and Brierfield. Hiram R. Revels, of the purest African descent, filled Davis's place in the United States Senate,¹¹ and Senator Morton was busy arranging for him the very seat occupied by Davis! Vicksburg was ruled by negroes and corruptionists. Of the eight aldermen, seven were black; of the eight school trustees, six. The sequel was twenty-five negroes shot down in one riot.¹²

Now these unspeakably bad conditions grew out of Reconstruction, and Reconstruction arose out of the Civil War. Did it occur to ex-President Davis that he was in any way responsible for that

⁹ Oberholtzer, II, Chap. IX.

¹⁰ Pike, 80.

¹¹ Bowers, 294.

¹² McNeilly, 297; Bowers, 449; Garner, 334.

war or for the desolation of the South? Had suffering and sorrow softened or had defeat, humiliation, and endless indignities changed the imperious man? On the contrary, they had but confirmed him in the conviction that his course was the right one.¹³ He was surer than ever he had made no mistakes. Around about he saw a land impoverished, households desolate, a civilization in ruins. His only comment was to remind the people he had foretold that very thing.

In his southern address of 1849 and in his Jackson speech of 1858, he had warned against abolition.¹⁴ He had then declared that the only proper relation between the races was that of master and slave. His prediction concerning the evils of abolition had come true. The North had invaded the South, freed the negro, and desolation was the result. This result was not of his making. His insistence that unless slavery were extended to the territories the South would secede, and the secession which followed, had not caused the war.

In 1858, he had declared that if Lincoln or any other abolitionist were elected President, the South should secede. That declaration was altogether right, and so was his action in resigning from the Senate and concurring in the secession of his state. He was likewise correct when he ordered Beauregard to fire on Sumter. Not the nineteenth part of a hair had he changed and he had no apologies to make. He had not seceded from the Union—the Union had seceded from him.

"Friends and Brethren of Mississippi," he said in an address before the Mississippi legislature on March 10, 1884, "It has been said that I should apply to the United States for a pardon; but repentance must precede the right of pardon, and I have not repented. Remembering as I must all which has been suffered, all which has been lost, disappointed hopes and crushed aspirations, yet I deliberately say: if it were to do over again, I would do just as I did in 1861."¹⁵

In 1870, at Montgomery White Sulphur Springs, he had declared in an address which moved the pride and stirred the hearts of fair women, "I have heard it said that the South has forgotten and for-

¹³ Jones, J. W., 451; Montgomery, 110.

¹⁴ *Memoir*, I, 455.

¹⁵ Jones, J. W., 451.

given. I cannot credit this statement; it certainly does not include our women. I have yet to see a Southern woman who has forgotten or forgiven."¹⁶ When the Fourteenth Amendment was adopted, depriving Jefferson Davis of his rights under the Constitution, it must be said he became a lion at bay. Driven into a corner by ill-treatment, he hurled defiance at his enemies. A man without a country, asking no quarter, he struck right and left, defied his traducers, and stirred the passions of the brave, generous, and sympathetic southern people.

When the year 1877 drew to a close, the bankrupt shipping corporation was on the ex-President's hands; his financial schemes had all failed and he and his practical wife began to look about for a quiet and restful spot to spend their last days. Brierfield was now uninhabitable, as negroes had occupied the desolate place for a dozen years.

Where should they rest their weary heads? Now, between New Orleans and Mobile, on the shores of the beautiful gulf, Mrs. Davis was fortunate indeed to find that which she sought. Sara A. Dorsey, a friend of hers, owned a plantation called Beauvoir, with small cottages in the rear. An arrangement was made by which the Davis family rented one of these cottages and took meals at the mansion house. In a short while, Mrs. Dorsey sold the property at a small figure to Jefferson Davis, taking a mortgage for the purchase money. The family then occupied Beauvoir and Mrs. Dorsey moved to New Orleans. Very soon, their kind patron died of yellow fever. By her will, Davis's debt was canceled and Beauvoir given to him for life, with remainder after his death to Winnie Davis forever. The storm-tossed family had found a resting place at last.

Beauvoir, cozy and remote, lies a few rods from the Gulf, whose iris-like waters lave the shell-strewn shore. To the rear are a thousand acres of pine and cypress, with festoons of gray moss, and all about the vegetation of the semi-tropics. Soothed and refreshed by these surroundings and freed from the cares and responsibilities of public life, the ex-President and his good wife found a satisfaction never before vouchsafed to them.

As President of the Confederacy, Jefferson Davis may not have

¹⁶ Foote, *Caskets*, 256; in 1850 he had also appealed to the women. Rowland, II, 144.

been a success, but as the proud, self-contained, imperious and dethroned leader of the Lost Cause, and the gracious owner of Beauvoir, none can doubt his fitness and his magnificent triumph. Shortly he began the business of authorship. He wrote a short history of the Confederacy, and magazine articles by the scores. Assisted by Major Walthall, his secretary, by Judge Tenney of Appleton and Co., and by his capable wife, Davis also set about the task of writing a vindication of himself. In three or four years, the work was completed—a large two-volume publication, issued by the Appletons. It was not a financial success.

The Rise and Fall of the Confederacy has the defects of its author. Stiff, formal, and controversial, it is lacking in humor and is devoid of human touch. The ex-President had no gift of authorship. He was not intriguing or alluring; he could compel but he could not attract. The quality of putting his thoughts across to the public he also lacked. As he never saw the other side, he could not present it. A dogmatist, he knew nothing of the value of understatement; his fault was overstatement. His strength and his weakness, as Mrs. Davis often remarked, were sarcasm and ridicule.

The Rise and Fall proceeds along the idea that the war was provoked by northern aggression and by envy of the South, and that the constitutional right of property in slaves should have been recognized. Davis admits no errors, ignores or ridicules his detractors,¹⁷ justifies his conduct throughout, stands squarely upon the Constitution and appeals to posterity for vindication. And a constitutional case he undoubtedly makes out.¹⁸ The letter of the Constitution authorized slavery; and so did the letter of the Old Testament. But the Old Testament likewise recognized witchcraft; "Thou shalt not suffer a witch to live," we read. Surely the march of humanity should not have been arrested, nor progress handcuffed to a Constitution, forever.

Had Davis conceded that there was one honest abolitionist, his vindication would have been more effective. But he had no conception of strength by repression. The champion of a lost cause, he appealed to the letter of the law, denied every charge, and called for proof. His vindication, however, had its place. It is dignified

¹⁷ Davis does not mention Yancey's name. Rowland, IX, 417.

¹⁸ Stephens, I, 495. See Ames for best statement of this point.

and mediæval, and it clears up many a slander. In 1867, while Jefferson Davis was a prisoner, Horace Greeley, as we have seen, became interested in the man and requested permission to inspect the records of the Confederacy. The ex-President assented without hesitancy. Judge Shea, Greeley's attorney, accordingly went to Canada and made a careful examination of all papers, private and official.¹⁹

Shea reported to Greeley that there was not the smell of smoke upon the garments of the ex-President, that he had fought a clean fight by land and sea, and had violated none of the rules of civilized warfare. On the contrary, he had suffered the abuse of violent Confederates, rather than indulge in retaliatory measures against northern prisoners. The ex-President, for example, could point with satisfaction to an order of General Lee, issued to his troops in Pennsylvania and might challenge the world to match this paper for charity or for magnanimity. Lee's order directed his soldiers to deport themselves as gentlemen while in Pennsylvania as in Virginia; and under no circumstances to molest private property.

President Davis's pen was now bringing him in a handsome income. Northern publishers were seeking him out and urging him to write. The northern public was anxious to hear what the Rebel chieftain had to say in vindication of himself. Had he really stolen \$3,000,000 of gold from the Confederacy? Had he permitted northern prisoners to perish at Andersonville?

In response to this demand, the ex-President wrote numerous articles at \$250 each. Now indeed was he eating the leek of Northerners, though he was not bending the neck to them! The *North American Review* requested an article on his prison life. The ex-President replied, giving an account of General Miles's conduct at Fortress Monroe and characterizing Miles as a heartless vulgarian. The discreet editor suggested the epithet be softened. But Davis returned the check and ordered back his manuscript. Miles was to be branded as a heartless vulgarian or the article was not to appear. It was published as written. On another occasion, the publisher, in payment of a Davis manuscript, forwarded a check for \$100 only. As the usual price was \$250, the money was returned and the full amount demanded. The larger check soon came to hand.

The ex-President likewise called his publishers, the Appletons,

¹⁹ *Southern Historical Society Papers*, 37, p. 252.



MEMBERS OF THE REPUBLICAN LEGISLATURE OF SOUTH CAROLINA IN
A SECOND CLASS CAR GOING TO COLUMBIA

—From *Leslie's*, Jan. 20, 1877.



A RECONSTRUCTION WARRIOR

to book. He insisted that they had violated their contract, and demanded an arbitration of the whole matter.²⁰ In the course of the correspondence, he informed his publishers that he felt "there was a hostile power in their house creating unfriendly action in his case." Arbitrators were chosen, Don Piatt by Davis and George Putnam by Appleton, and the dispute was referred. But before an award was filed, the complaining party died, and his arbitrator then admitted Davis had no cause of complaint.²¹

Thus high in the air again floated the banner of Jefferson Davis, and each day increased his influence. Beauvoir had become the Mecca of good Confederates; thither went governors, judges, and generals. His mail grew to volumes. He became the clearing house of the Lost Cause, the arbiter of Civil War disputes, the champion of all Confederate controversies. He was now the southern idol—Napoleon on the Island of St. Helena. Enthusiasts called him King.²² "He wore his shackles for us," May-day orators exclaimed, while women wept and strewed flowers over the graves of their dead.

This rehabilitation and martyrdom of the ex-President was augmented by the fire-eaters of the North. The period from 1868 to 1876 is called by Professor William Dunning and other conservative historians the disgraceful era in American politics. Many of President Grant's advisers were corrupt and corrupting, so much so the New England conscience revolted and the Liberal party was organized.

Wilson, Chandler, Morton, Blaine, and their likes had enacted laws which Africanized the South and made southern states uninhabitable by white people. A condition worse than civil war existed. Reconstruction, and its antidote, the Ku Klux Klan, were more demoralizing than war itself, and much more destructive of progress.

Radical legislation, carpetbag rule, and slanders of southern leaders embittered the South, regardless of old party lines, and engendered a corresponding hatred of the North. Thousands of conservatives now quit the Republican party. Scarcely could a matter come before Congress without a sectional debate. In season

²⁰ Rowland, X, 98.

²¹ *Independent*, 110; 126.

²² Jones, J. W., 475-485.

and out, James G. Blaine waved the bloody shirt, hoping to become President. He did not appreciate the fact that a cold-blooded partisan had never been President and perhaps would never be.²³

The year 1876 was the Centennial year and it was proposed to make it an occasion of good feeling and reunion between North and South. Congress was asked to vote a large sum of money for a Centennial Exposition to be held at Philadelphia. A member from Kentucky offered a resolution that no money be appropriated till the disabilities of the Fourteenth Amendment were removed. Blaine presented a motion excepting Jefferson Davis. An acrimonious debate followed. Blaine and others charged that Davis permitted Union soldiers to be starved and murdered in southern prisons—a charge involving the southern people as a whole. Blaine's motion defeated the amnesty resolution, but the appropriation was authorized. Ex-President Davis, from his home on the Gulf, replied to Blaine declaring that as President of the Confederacy he had offered to send Stephens to Washington to agree upon an exchange of prisoners, but Lincoln would not even entertain the proposition.

Again, March 3, 1879, a general amnesty bill was offered in Congress, when a motion was made to exclude Jefferson Davis from its provisions. A rasping debate followed. Several conservative northern senators insisted that the ex-President had not asked to be pardoned and inquired why the pardon should be granted unless he desired it. Hot-headed Southerners jumped to their feet. Though they themselves had asked pardon and it had been granted, they wished to know what President Davis had done which required him to beg any one's pardon. The amnesty resolution was again defeated. In truth, this contention of southern congressmen would have stricken down the entire theory of readmitting the South into the Union and was most unwise.

If the ex-President had pursued the course of Lee or Generals Gordon, Ransom, and Hampton, he would have taken the oath and the amnesty bill would have passed. But he had reached the point where he did not desire a pardon. To be unpardoned was an honor. Exalted to the rank of prophet, priest, and king, Jefferson Davis's sense of mortification had vanished. He towered above senators,

²³ 44th Cong., 1st Sess., 350.

governors, and judges. "More true pride Marcellus exile feels than Cæsar with a senate at his heels." ²⁴

These congressional debates and the ridicule aimed at the ex-President charging that he was a coward and had sought to escape in his wife's hoop-skirts, reflected on the southern people as a whole and, regardless of party affiliations, they resented the attack. It seemed to them that their President was persecuted and they were being lashed over his shoulder. The ante-bellum feeling of resentment against Davis, which many southern Unionists had entertained, had died out. Union Whigs and Democrats alike forgave him. In North Carolina, it may be mentioned, the descendants of Jonathan Worth who, in 1860 as we have seen, cordially disliked Davis, were now active for him, organizing societies and delivering addresses to perpetuate his name and fame. A great highway, called the Jefferson Davis Highway, was opened up, and babies bearing his name christened.

Southerners now loved him for the enemies he had made; he and they had a common foe. If the Radicals were determined to insult and brow-beat Davis, they must reckon with every true Southerner regardless of party. "Jeff Davis, right or wrong—but Jeff Davis," was the word. And grandly did the old hero play the martyr. During these days of rehabilitation, Jefferson Davis deported himself as became a dethroned monarch. He was now a man of striking appearance—erect, unbowed, with flashing eye and ruddy cheeks. The hideous throat whiskers he had affected in the 1860's were gone, and he wore a full beard, close-cropped. His dress was simple—not gaudy, yet appropriate; his manner formal and dignified; his whole appearance as striking as when he was a cadet at West Point.

Occasionally the venerable Chieftain would attend great gatherings of the Confederates. Once only he visited Montgomery, accompanied by Winnie, the "Daughter of the Confederacy." The concourse that greeted him was too large to be counted and it was wildly enthusiastic. As the President approached the platform, ex-Governor Watts came forward and the two old comrades fell into each other's arms.

²⁴ Rowland, IX, 481.

"Hurrah for Jeff Davis!" a loyal and lusty-voiced Confederate screamed.

The Rebel yell might have been heard miles away. From a hundred flag poles, the Stars and Bars flutter. A bevy of young girls, lovely in white frocks, sing, "Maryland, My Maryland." The Bonnie Blue Flag is waved. Albert Sidney Johnston's army is in evidence—an old drum corps, four in number, rendering Dixie. On the outskirts a one-legged soldier, thumbing his banjo, is singing,

"Now I'm a good old Rebel
And that's just what I am
For this fair land of freedom
I would not give a damn."

The President of the Confederacy is presented. Men and women bound to their feet, clapping hands and shouting for joy. The speaker graciously acknowledges the reception.

"Friends, Brethren, Countrymen," he begins, in a calm, confident manner, biting each word as it comes forth. "I do not call you fellow citizens— ['Hurrah for old Jeff! No oath for him!'] I have written out my remarks, because I do not desire to be misrepresented— ['Speak your mind! Tell it! Tell it!'] Great demonstration.]"

"On this spot a few years ago, I took the oath as your President; to-day a larger concourse greets me than on that occasion . . . When the Southern States retired from the Union, they were merely exercising their constitutional rights. In an orderly manner, they resumed their respective sovereignties. The war did not abolish that right—the war settled nothing, except that secession was impracticable.

"To-day you are in the Union again and it is your duty to endeavor to restore the Government to its original form, to its pristine purity . . . I repeat what I have said before. I have no apologies to make for my conduct; if it were to do over again, I would do as I did in 1861."

The exercises over, the venerable Chieftain repairs to his rooms, decorated with flowers. His path is strewn with flowers; gracious women throw their arms about him.²⁵

²⁵ New York *World*, April 28, 1886.

Now this celebration took place soon after the death of President Grant and soon after Cleveland, a Democrat, was elected, and the reporters made use of it to stir the blood of the North. They reported to the press that Jeff Davis was advocating another war. Twisting his meaning, they put these false words into his mouth: "I have often prayed to live to see the day when both Lincoln and Grant were dead and in hell and as my prayer has been granted, I am ready to die!"²⁶

Thus a second time did sectional feeling thrust Jefferson Davis to the front. In 1860, he had so directed events as to disrupt the Democratic party and disrupt the Union, and to climb to dizzy heights upon the ruins of both. Twenty years later, he was utilizing the bitterness of northern Radicals, the loyalty of his own people, and the persecution of himself to become an uncrowned king. A Herculean task, to be sure—one requiring self-assurance, courage, and a lofty pride.

And these Jefferson Davis possessed. Manhood and dignity he preferred to place or power. To him death was a small matter in comparison with ridicule, humiliation, or mortification. Pride of opinion was his pole star. The High Priest of the Confederacy—he could not recant! Each day found him at his desk, toiling to vindicate his conduct in 1861.

"I cannot claim a pardon," he proudly asserted in the 1880's when urged to do so, "not having in any wise repented or changed the conduct on which my public course was founded, as well before as during and since the War between the States."²⁷ He would die an unrepented Rebel, and was right in so doing, his friends maintained.²⁸

Others might change; Jefferson Davis could not. Only one other beside the ex-President, attaining high rank, remained uncompromising to the end—Robert Toombs. Hot-headed and full-blooded, Toombs despised the North and wished it harm. His famous telegram reveals this trait. Being in Chicago when Mrs. O'Leary's cow kicked over the lamp in the shed and burnt up the town, Toombs wired to friends in Georgia, "Thank God, Chicago is burning up and the wind is in our favor!"

²⁶ Rowland, IX, 461—June, 1886.

²⁷ *Ibid.*, VII, 486.

²⁸ Montgomery, 110.

Jefferson Davis would not have given expression to such thoughts. Unlike Toombs, Davis was detached, cold-blooded, intellectual. He did not really hate the North, though he was outraged that his theory of government had been defeated. His feelings were academic, platonic, and entirely without passion.

In 1877, his oldest daughter had married a most estimable "Yankee," J. A. Hayes, and removed to Yankee-land, far away Colorado, to live. The ex-President himself and his thrifty wife were coining money in their dealings with the North. They were contributing to northern magazines, publishing books in New York and not in New Orleans. Their literary agents resided North and not South. Their summers too were generally spent in New England, and their devoted and intimate friends were Franklin Pierce of New Hampshire and George W. Jones of Iowa. The Davises visited Pierce more than once; and the letters they received from General Jones would do credit to a Jonathan and David collection.

"My ever dear friend," Jones wrote Davis, during the cholera epidemic, "come to me from the yellow fever and come at once, for no one would my wife, children, and friends more welcome within our doors than your own well-beloved and honored self."²⁹

Moreover, the ex-President would occasionally utter thoughts, beautiful and touching, and so truly loyal to the Union. At a banquet of the Army of Northern Virginia, he was the honored guest and the chief speaker. He said it was a great pleasure to meet a Confederate soldier; "he could recognize one by the thrill of his grasp and that he would bet his last dollar on Dixie."

"We are now at peace," he went on, "and I trust will ever remain so. We have recently been taught that those whom we had considered enemies, measuring them by standard bearers whose hearts were filled with malignity, that they in our hour of trouble had hearts beating in sympathy with our grief. We have been taught by their generosity, that bounded with quick response to the afflictions of the South, that the vast body of people at the North are our brethren still.

"And the heart would be dead to every generous impulse that would try to stimulate in you now a feeling of hostility to those where so large a majority have manifested nothing but brotherly love for you.

²⁹ Rowland, VIII, 404.

"In referring therefore to the days of the past and the glorious cause you have served—a cause that was dignified by the honor in which you maintained it—I seek but to revive a memory which should be dear to you and pass on to your children as a memory which teaches the highest lessons of manhood, of truth, and of adherence to duty—duty to your State, duty to your principles, duty to the truth, duty to your buried parents, and duty to your coming children."³⁰

Only once did the Sage of Beauvoir catch a tartar. In 1887, a prohibition fight was on in the state of Texas and Governor Lubbock opposed the measure. The Governor wrote Davis, his old chief, and asked what he thought about the proposition. The ex-President replied that the prohibition idea was monstrous; it was a violation of one's personal rights; it squinted at the "higher law," and ought by all means to be defeated. "Least government is the best government," he said. Davis had let loose the Furies. The "pure in heart" were amazed. Bishop Galloway, leader of the "Drys," almost shed tears. "What a spectacle! The soldier, the sage, and the Christian, spending his last days in the advocacy of the barroom and the destruction of virtue!"

³⁰ Jones, J. W., 447.

CHAPTER XXII

SILENCE

The days at Beauvoir passed most pleasantly. J. U. Payne, the financial agent of the Davises, and his son-in-law, Judge Fenner, of New Orleans, and many others were neighborly and frequent visitors. Newspaper reporters, eager for news from Confederate headquarters, haunted the unique retreat, and old soldiers from distant states made pious pilgrimages. One of the cottages in the yard had been converted into a library and there the venerable ex-President would pass his working hours. Now and then he would spread out maps of battle fronts from Bull Run to Appomattox, and fight the war over again for wife and daughter.

Beauvoir House was a cool, inviting place, fanned by the Gulf breezes. Its ceilings were high and there was ample space. French windows opened out from hall and bed chamber, and a cozy hammock swung to and fro, almost hiding itself in the foliage of the grateful trees. Wooden columns, square shaped and immaculately white, were most attractive. A tasteful cot and other furnishings added a touch of comfort. A home-made rocker with high back and ample legs stood ready for the venerable Chieftain, the center of every group, the cynosure of all eyes. And there was no lack of employment: Mrs. Davis busy with her *Memoir*, and her duties as clerk to the husband, and a thousand matters engrossing the ex-President.

One day he read in the *Press* that Colonel Frank Burr had had an interview with General Joseph E. Johnston. The General had intimated that President Davis had failed to account for three millions of good money belonging to the Confederacy. At much pains Davis procured letters and copies of receipts, vouchers, and other exhibits, showing the charge to be false. General Johnston's conduct in this affair was unfortunate, and manifested a deep-seated and cherished hatred.¹

¹ *Memoir*, II, 860.

On another occasion there appeared in the *Globe Democrat* of St. Louis an attack by General Sherman on the Richmond Government and its President. Sherman quoted a senator as saying that Davis, while in Washington, had been a well-known conspirator, and had been plotting for years to disrupt the Union and make himself President of a Southern Confederacy, and further that during the war he was both a dictator and a tyrant. He had actually declared he would coerce North Carolina, Georgia, or any other state that dared to withdraw from the Confederacy.

In so far as the South was concerned, the ex-President, in his denial of Sherman's charges, was on safe ground, but in nothing could he satisfy the North. As we have seen, Jefferson Davis was not a conspirator, and though North Carolina and Georgia, after the autumn of 1864, were anxious to cease firing and to come back into the Union, they were too proud and honorable to desert their sister states in the time of danger. Indeed, they made no real effort to do so.²

The English General Wolseley, likewise, took a fling at the retired Confederate Chieftain. His Lordship charged that President Davis had been an incompetent executive, interfering with the war and preventing many a victory. Specifically he criticized Davis and asserted that after the battle of Bull Run Washington would have been captured but for his interference. Wolseley also charged that both Beauregard and Johnston urged an immediate attack but Davis had prevented its execution. This criticism was easily refuted; Beauregard and Johnston each wrote and denied the facts. Wolseley's other criticism, that the Confederacy was a disjointed machine and not able to coördinate or function harmoniously was only too true.³

Such charges against the dethroned king gave him no concern whatever; in truth, he welcomed them. Each new assault made him more of a martyr; each new wave of passion won him new friends. He was now above the reach of criticism. When Blaine exclaimed that "before God the horrors of Andersonville Prison exceeded the Torquemada, the atrocities of the Duke of Alva, or the murders of St. Bartholomew's day," he was doing Jefferson Davis a real service. When Ben Hill angrily retorted that the northern people had trampled on the Constitution, abnegated their

² *Ibid.*, 833; Hill, Dr. D. H., Chap. I.

³ Rowland, IV, 540.

pledges, and with ample means to care for southern prisoners at Elmira, had failed to do so, he was more Davis's advocate and helper than at any period of a life of devotion to the Confederate President.

Not only was time dealing kindly with Jefferson Davis in that it assuaged his humiliation and mortification, and gave him a place in southern esteem higher than when he commanded armies and navies, but other circumstances conspired to make his old age ripe, tranquil, and memorable. The eye trouble of former days no longer afflicted him; regular hours, freedom from care and responsibility had improved his digestion. His general health was better; his finances, too, were in good condition. Brierfield, which he had won in the lawsuit with his brother Joseph's children, was valued at \$60,000.

The shares of his three unmarried children in the Montgomery notes were likewise valued at \$60,000, subject to scale. There were also various plantations which the ex-President had acquired: the Elliston plantation in Tensas parish, Louisiana, and the Limerick plantation in the same parish, together with Beauvoir, where the family resided. Other properties mentioned in Mrs. Dorsey's will, besides Beauvoir, rendered the Davises' condition more comfortable.⁴ During the past two years, however, the Mississippi River had overflowed and injured the crops on Brierfield and the family income had been diminished.

In 1889 the younger daughter, Winnie, went abroad for her health, and the older daughter was residing in Colorado; none of the family remained at Beauvoir except husband and wife. One day in the fall of this year, the venerable man, verging on eighty-one, took a steamer at New Orleans for Brierfield, his object being to collect the annual rents. Soon after the boat left the wharf, an autumnal rain set in. After nightfall the steamer reached Palmyra. The ex-President, slightly indisposed, did not disembark, but continued on to Vicksburg where he spent the night. The next evening, though troubled with the cold which he felt the day before, he went down the river to his plantation.

The steamer again arrived at the wharf in the night and the sick

⁴ Holographic will of Jefferson Davis, dated February 20, 1886, probated in the Chancery Court of Harrison County, Mississippi, December 16, 1889. In this will he devises two plantations to friends and collaterals.

man drove to Brierfield, two or three miles away, through the damp and "malarial air." Bronchitis, complicated with malaria, soon set in. On November 11, Mrs. Davis was notified and took the first steamer out of New Orleans. In midstream she transferred to her husband's boat and tenderly cared for him as in the days gone by. Payne and Judge Fenner awaited them at New Orleans, and the sick man was placed in an ambulance and carried to the Judge's home. . . .

Days pass and the city grows anxious about its distinguished guest. . . . On the evening of December 5, there are signs of dissolution. At midnight, Mrs. Davis urges her husband to take the doctor's prescription. "Pray excuse me," the dying man faintly smiles. . . . These are his last words. Fondly clinging to his wife's hand, he quietly and peacefully passes into eternity. What follows is silence. . . .

The royal dead is placed upon a catafalque and transferred to the City Hall. In the death chamber the vigils are imposing: A King is dead and should have a kingly burial. In single file two hundred thousand people pass for a last look.⁵ The Governors of the Southern States are pall bearers; Bishops, Generals, Senators, and Judges, attendants. General George W. Jones of Iowa is the chief mourner.

But controversy pursues the "unrepentent Rebel" to the very tomb. News of the death reaches Washington and Proctor, Secretary of War, is asked if the United States flag will float at half mast over the War Building in honor of its former chief. He replies that it will not . . . Congress takes no action . . . In their private quarters, Mississippi senators and congressmen pass resolutions. The hostile press carries harsh and abusive items. "Jeff Davis once owned a pack of bloodhounds with which to hunt runaway slaves." Ben Montgomery, Joseph Davis's former slave, denies this slander in an open card. The Jefferson Davis slaves write a letter of sympathy to their old mistress.

The Grand Army of the Republic at New Orleans, which has asked and been assigned a place in the funeral procession, now refuses to take part. Colonel James Lyon, the leading negro of New Orleans, likewise requests that negro organizations be allowed a position in the marching columns and this, too, is granted, but

⁵ New York *Herald*, December 12, 1889.

not a negro appears. General Beauregard, the best known citizen of New Orleans, stays away . . .

On December 11, deep toned church bells toll, the muffled sound of the drum is heard, minute guns boom, funeral dirges fill the air. The President's body, in the gray uniform of a Confederate soldier, is borne through vast and sorrowing crowds on its way to the vault of the Army of Northern Virginia in Metairie Cemetery, New Orleans. There, amidst the grief of a people whom he had led to war and disaster, the dead leader of the dead Confederacy finds rest.

In a few months Mrs. Davis decides that Hollywood Cemetery, Richmond, Virginia, should be her husband's final abode . . . At midnight on May 29, 1893, the mortal remains of Jefferson Davis are accordingly placed on a special train for Richmond, while the church bells of the South again toll a sorrowful farewell. At Beauvoir, chrysanthemums, white and fragrant, cover the platform. The first stop is at Montgomery where the ashes of the dead are placed in the Supreme Court Chamber. Immediately over the Woolsack are two words: *Monterey—Buena Vista*. The cortege likewise stops at Atlanta and at Raleigh.

On June 1 Richmond is reached and the journey ends. Mrs. Varina Davis and Winnie Davis have come down from their New York home and Mrs. Margaret Hayes from Colorado to weep again over their dead. Thousands of women, true and loyal, weep with them; call them blessed; touch the hem of their garments. The widow and daughter of the Confederacy are the Lost Cause incarnate; no honor too great for these southern women. The exercises over, the ashes of the once restless, daring soul are deposited in the soil of the Old Dominion overlooking the James, and Mrs. Davis and her daughters depart for their far away homes.⁶

In her comfortable Gerard Apartments, 123 West 44th Street, New York City, Mrs. Davis grows old most graciously. She is busy writing her war experiences and of life on the Mississippi before the war. Northern publishers urge her to write more frequently; they offer top notch prices for the work of her pen.⁷ She is eating the leek of the North but not bowing the neck to them.

⁶ Soon after, it is announced that the Daughter of the Confederacy is to marry a wonderfully fine young lawyer of Syracuse, New York.

⁷ Putnam, I, 362.

A new era dawns. Throughout the land of Dixie no descendant of Jefferson Davis remains, and scarce an advocate of his policies. Brierfield and other old river bottom slave plantations are grown up in briers. But the uplands around Jackson, the wornout Mississippi pine barrens of the poor whites, now devoted to live stock and diversified crops, are rich in verdure and great in wealth: the chrysalis of the old South has burst the outworn shell of slavery and come forth into the new life of freedom destined to surpass its former splendors and glories.⁸

⁸ Winnie Davis died at Narragansett Pier in 1898; Mrs. Davis, in New York City, in 1906.

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APPENDIX A

CHRONOLOGY OF FORT SUMTER AND ENVIRONS

1860. About November 1, Major Anderson, U. S. A., takes charge of Moultrie.
- December 14, Pickens elected Governor. Despatches three commissioners to Washington.
- December 18, President Buchanan sends Caleb Cushing to South Carolina as conciliator.
- December 20, South Carolina secedes. Demands Moultrie and the other forts.
- December 21, Buchanan agrees to preserve the status at Charleston.
- December 26, without orders, Anderson moves at night to Sumter.
- December 27, Senator Jefferson Davis and South Carolina Commissioners protest. Pickens takes possession of Castle Pinckney; fortifies it.
- December 31, Buchanan refuses to order Anderson from Sumter.
1861. January 1-5, South Carolina fortifies Fort Johnson and Cummings' Point.
- January 5, *Star of the West* sails from New York to relieve Sumter.
- January 6, Thompson, last southern cabinet officer, resigns.
- January 9, 7 A.M., *Star of the West* crosses bar. Major P. F. Stevens fires first from Cummings' Point. Others fire on her. She retreats.
- January 9, Anderson protests. Pickens sustains Stevens.
- January 11, Pickens again demands Sumter. Despatches Hayne to Washington.
- January 12, Pickens and Anderson refer all matters to Washington.
- January 15, Davis urges Pickens not to attack Sumter till Confederacy organized.
- January 21, Davis resigns from Senate.
- February 6, Buchanan refuses to give up Sumter.

1861. February 8, Confederacy organized. Davis soon elected President.
- February 22, Davis takes charge of Charleston, appoints commissioners to Washington.
- March 1, Davis places Beauregard in command at Charleston.
- March 4, Lincoln inaugurated President of the United States.
- March 6, Confederate Flag raised over Charleston Custom House.
- March 12, Secretary Seward refuses to treat with Davis's commissioners.
- March 15 and 21, Seward agrees that Sumter will not be provisioned.
- March 28, Lincoln's cabinet divide on Sumter situation.
- March 29, Lincoln directs relief expedition by April 6.
- April 8, Lincoln notifies Pickens and Beauregard he will relieve Sumter.
- April 9, seven relief ships sail from New York for Sumter.
- April 11, President Davis orders Beauregard to demand Sumter. Demand refused. Beauregard wires refusal to President Davis. Davis answers, "Reduce Sumter unless Anderson will name date to evacuate."
- April 12, 12:45 A.M. Demand made on Anderson. 3:15 A.M. Anderson replies, "Will remove from Sumter on 15th unless relieved by the fleet or ordered by Washington to remain." The *Harriet Lane* and three other vessels of the Union fleet now appear in the offing. 3:30, Anderson notified by Beauregard's Aides Sumter will be attacked in one hour. 4:30, the signal gun sounded from Fort Johnson by Captain James. 4:35, first shot of the war fired by Edmund Ruffin.
- April 13, 4:00 P.M. Sumter, blown to pieces, surrenders.
- April 14, high noon. United States Flag lowered. Saluted by 100 guns as Major Anderson and his men retire.
1865. April 14, high noon. The identical old Union flag raised over Sumter by Robert Anderson, General in the United States Army. Flag now in War Department Building, Washington.

APPENDIX B

THE ZIGZAG OF SLAVERY

In 1800

<i>Slave</i>	<i>Free</i>
Delaware	New Hampshire
Maryland	Massachusetts
Virginia	Rhode Island
North Carolina	Connecticut
South Carolina	New Jersey
Georgia	New York
Kentucky (admitted in 1792)	Pennsylvania
Tennessee (admitted in 1796)	Vermont (admitted in 1791)

8-8 in 1800

Louisiana	(admitted in 1812)	Ohio	(admitted in 1803)
Mississippi	" " 1817	Indiana	" " 1816
Alabama	" " 1819	Illinois	" " 1818
Missouri	" " 1821	Maine	" " 1820
Arkansas	" " 1836	Michigan	" " 1837
Florida	" " 1845	Iowa	" " 1846
Texas	" " 1845	Wisconsin	" " 1848

15-15 in 1849

California	" "	1850
Minnesota	" "	1858
Oregon	" "	1859

15-18 in 1860

Important Dates in the Story of Slavery

In 1787 the Northwest Ordinance was passed forbidding slavery in the Northwest Territory; in 1793 the first Fugitive Slave Law was passed; in 1840 Harrison, a Whig, was elected President; in 1844 Polk, a slavery Democrat, was elected President; in 1848 Taylor, a Whig, was elected President, favoring the admission of California as a free state; in 1852 Pierce, a slave Democrat, was elected; in 1854 the Kansas-Nebraska Bill was passed; in 1856 Buchanan, a slave Democrat, was elected; in 1860 Lincoln was elected; and in 1865 the Thirteenth Amendment, abolishing slavery, was adopted.

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